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The Washington Historical Quarterly

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Vol. IV. No. 1 *January, 1913*

The Washington Historical Quarterly

EXPLORATION OF THE UPPER COLUMBIA

Of the five earliest transcontinental expeditions to the Pacific, students of Northwest history know two by heart: the second (Lewis and Clark, 1805-06) and the fifth (the Overland Astorians, 1811-12). The first (Mackenzie, 1793) and the third (Fraser 1808) are also familiar to us in never varying detail. But an unkind fate, aided by a journal too voluminous for publication (40 vol. foolscap, 100 pp. per vol.) has almost buried in obscurity the knowledge of the fourth, that by the astronomer and geographer, David Thompson (1810-11); and when even the bare outlines have at times emerged, the sketch has been fragmentary and inaccurate, and the details (attempted by Bancroft and others) imaginary. This is all the more to be regretted by the people of Washington, because Thompson's was the only party of the five to cross our state entirely. This it accomplished both by river and by land. David Thompson discovered the sources of the Columbia, explored the Upper Columbia, and was the first to voyage over every foot of this, the Pacific Coast's mightiest river.

Through the courtesy of Mr. Aubrey White, Deputy Minister Lands and Forests, Toronto, I have been furnished a copy of Bk. 27, Vol. II., of Thompson's journal, detailing his "Voyage to the Mouth of the Columbia; by D. Thompson and 7 men on the part of the New Company." As Dr. Coues says of the entire journal, the manuscript "consists of astronomical calculations, traverse tables and other mathematical data," which makes it "largely unreadable"; but this did not deter me from an attempt to put before the people of the Northwest a readable account, which should at the same time be as accurate in time and place as could be made out by his "watch of little worth" and his "compass always vibrating, caused by the many eddys and whirlpools which continually turned the canoe from side to side."

June 27, 1807, Thompson crossed Howse Pass in the Canadian Rockies and came to a little rill "whose current," he wrote without hesitation, "descends to the Pacific Ocean—may God in his mercy give me to

see where its waters flow into the ocean and return in safety." Little did he dream then of the 1,150 miles of Columbia, the interminable maze of lakes connected by the windings of the Kootenay, Clark's Fork, and Upper Columbia, or of the four and a quarter years of hardships verging at times on starvation, that lay between Howse Pass and his finished work. He built a raft and descended the tumultuous Blaeberry Creek; but when he reached the Columbia he was surprised to find the great river flowing northeast instead of southwest, as McKenzie had described the Tacouche Tesse (Frazer had not yet explored the Tacouche Tesse to the sea, thus showing that it was not the Columbia). From the Indians Thompson learned that the river made a great detour to the north; so instead of going down, he went up stream, i. e., south, to Lake Windermere, at the foot of which he established a post, Kootenay House, on the west bank of the Columbia. In 1808 he returned from east of the Rockies to this post, arriving November 10, after a horseback journey of sixteen days. Here he wintered till April 27, 1809.

During the summer of 1809 he explored the Kootenay south into Montana and Idaho, and struck across country on horseback to Clark's Fork. September 9, he arrived at Pend d'Oreille and built a post on the lake. September 28 he started on an expidtion down Clark's Fork some distance into Washington. October 2 he started back up the river, evidently bewildered by the fact that all the tributaries of the great river turned and continued northward. He returned to Pend d'Oreille, continued up Clark's Fork into Montana, swung north again to the Kooteney, back again to his post on Pend d'Oreille, and up Clark's Fork again into Montana, where he built Saleesh House and wintered, 1809-10. During the winter he made three exploring trips, on one of which he ascended Clark's Fork to its formation by the Missoula and Flathead rivers. He left Saleesh House April 19, reached Pend d'Oreille April 21, sent his canoes north the 23d, explored south to the Spokane by the 25th, turned north again, and by way of the Kootenay, the Columbia, and Blaeberry Creek reached Howse Pass June 18, where he crossed in snow four feet deep. He had left his packs of fur behind in charge of McMillan, to wait for horses.

From July 22 to October 29, 1810, occurs one of the very few blanks in his remarkable journal of fifty years. From the journal of Alexander Henry the Younger, however, we learn that Thompson went east; as far as Montreal, according to Henry, but this is surely a mistake. At whatever place he stopped he learned of the preparations for the Astor expeditions by sea and land. This news started him out once more, on the crowning achievement of his life.

Obstacles came thick and fast, but he did not flinch the task. In October, 1810, his Columbia canoes on ahead were turned back from Howse Pass by the Piegan Indians, who had constituted themselves guardians of the pass, to keep Thompson from taking firearms to their enemies, the Flatheads, and to capture the rich store of furs which his posts west of the mountains were sending east. For once all of Alexander Henry's resources in debauching Indians with liquor failed; they would not decamp. The only other northern pass then known across the Rockies was Peace River, which would take Thompson's expedition a thousand miles out of his way and put him on the upper Frazer instead of the Columbia. Though his provisions were short and winter was coming on, he decided to force a new road across the Rockies. He struck northward towards the Athabaska, "cutting his way," so Henry reports, "through a wretched, thick woody country, over mountains and gloomy muskagues, and nearly starving, animals being scare in that quarter.* * Their case was pitiful." December 5, on the Athabasca, he began building sleds, the thermometer registering 4 below zero. December 14, in dire extremities, he dispatched seven men to Henry for supplies. His men were distracted and suffering to the verge of mutiny. December 18 the thermometer stood 36 below zero. December 29 he started again, his two dogs to each sled swimming through a deep snow road beaten down by the snowshoes of his men. New Year's Day, 1811, the poor dogs were unable to move their loads. A cache was made, and with light loads they struggled on. January 8, Du Nord, one of his men, "beat a dog useless and the sled we made got broke and was with the dog thrown aside." January 10, he discovered Athabaska Pass. Next day, in the course of holding down a little brook, he called Du Nord "a poor, spiritless wretch," and ordered him back, but relented. January 12 he wrote his pitiful plight on boards, to be carried back to Henry's post, there copied, and forwarded to the Northwest Partners. January 14 his dogs could no longer haul their loads. He abandoned everything not absolutely necessary, including his tent; "courage of the men sinking fast, though the snow was only 3 to 3½ feet deep; and they were told it was no matter if it was 20 feet deep, provided they could get over it; but when men are in a strange country fears gather in them from every object." January 20 Du Nord deserted under critical circumstances; January 21 the expedition reached the Columbia. Thompson wanted to go up the river to Kootenay House, but his men were dispirited, "useless as old women." January 26 Le Tendre and Deaw deserted, overcome with fear at the prospect before them. Thompson moved down the river, northward a few miles, to Canoe River, the very

northernmost point of the Columbia. Here the great river doubles on itself and turns south. Thompson's puzzle of the last three years was solved.

At Canoe Camp he built boats, and April 17, with four men, started south up the Columbia, traversed Windermere Lake, portaged to the Kootenay, descended that river to Idaho, crossed to Clark's Fork, and then crossed south to Spokane House, which his men had built in advance of him. He reached here June 15. He had by this swing visited every one of his posts except Saleesh House. At Spokane he took to the canoe again, going down the Spokane to the Columbia, and up the Columbia to Kettle Falls, whence he intended to start on his dash for the Pacific.

It is this part of the trip that holds greatest interest for us. With seven men and two Simpoil Indians, he started from Kettle Falls July 3, "down the Columbia river to explore this river in order to open out a passage for the interior trade with the Pacific Ocean." The first night was spent with the Simpoil Indains, three-quarters of a mile up the San Poil river from the Columbia. Thompson gives the following account of his reception:

"On our arrival at the Simpoil camp, we pitched our tents. No one approached us till we sent for them to come and smoke. The chief then made a speech, and then the men all followed him in file and sat down round the tent, bringing a present of two dried salmon, with about half a bushel of various roots and berries for food. The chief again made a speech in a more singing loud smart tone; smoking, with four pipes. When all the tobacco I had given for this purpose was done, during the last pipes being smoked, one of the Simpoil Indians who had come with me related in a low voice all the news he had heard and seen, which the chief in his speech told again to his people. At the end of every three or four sentences he made a step, which was answered by all the people calling in a loud voice, OY! The smoking being done and the news being all told, I then told the chief what I had to say of my voyage to the sea. Each six or seven sentences I also made a step, which the chief in his relation to his people punctually followed, and they also regularly answered as before. I took notice that good and bad news, life and death, were always pronounced in the same manner, and that the answer was always the same. A few pipes were now lighted, and they were told this was enough for the present. They gave a long thankful OY, continuing a few minutes.

"After, a man came asking permission for the women to come and see us and make us a small present. To this we consented, provided they brought us no ectoway, as we found these roots bring on the colic. They came, accompanied by all the men, and altogether formed a circle round

us, the women placing themselves directly opposite us, half being on the right and half on the left of a man painted as if for war, with black and red, and his head highly ornamented with feathers. The rest of the men extended to the women on either hand. The men brought their presents and placed them before me, which sonsisted wholly of bitter and white and ectoway roots, with a few arrow-root berries. The women had all painted themselves; although there were a few tolerable faces among them, yet from the paint, etc., not one could be pronounced bearable. The men are all of a middling size, moderately muscular, well limbed, and of a tolerably good mien.

"The women, we thought, were all of rather small stature, clean made; and none of them seemed to labor under any bodily defects. Having smoked a few pipes, we said the visit was long enough. This was received as usual with a thankful OY, and they withdrew except a few old men, who stayed a few minutes longer and then went away. As the chief was going, my men wished to see them dance. I told the chief, who was highly pleased with the request. He instantly made a short speech to them; and all of them, young and old, men, women, and children, began a dance to the sound of their own voices only, having no instrument of any kind whatever. The song was a mild, simple music; the cadence measured, but the figure of the dance quite mild and irregular. On one side stood all the old people of both sexes. They formed groups of 4 to 10, who danced in time, hardly stirring out of the same spot. All the young and active formed a great large group on the other side, men, women, and children mixed, dancing, first up as far as the line of the old people extended, then turning round and dancing down to the same extent, each of this large group touching each other with closeness. This continued for about eight minutes, when, the song being finished, each person sat down on the ground in the spot he happened to be when the song was done. The chief made a speech of about one or two minutes long. As soon as this was ended the song directly began; and each person starting up filed to dancing the same figure as before. They observed no order in their places, but mingled as chance brought them together. We remarked a young, active woman who always danced out of the crowd and kept in close along us, and always left the others far behind. This was noticed by the chief, who at length called her to order, either to dance with the others or take a partner. She chose both, but still kept close to us, with her partner leading up the dance. Having danced twice in this way, the chief told them to dance a third time for that we might be preserved on the strong rapids we had to run down on our way to the sea. This they seemingly performed with great good will. Having danced about an hour, they finished and

returned. The dust of their feet fairly obscured the dancers, although we stood only four feet from them, as they danced on a piece of dusty ground in the open air. Their huts are of slight poles tied together, covered with mats of slight rushes,—sufficient defense in this season; and they are considered altogether as moderately cleanly; although very poorly clothed, especially the men, as animals are very scarce, and they are too poorly armed to obtain any spoil of worth from the chase."

July 4, in running the rapids above Bridgeport, "they run too close to a drift tree on a rock, which tore partly the top lath away and struck Ignace out of the stern of the canoe. Although he had never swam before in his life, he swam so as to keep himself above the waves till they turned the canoe around and took him up." The river was now at its flood time.

Next morning they came upon an Oachenawagan [Okonogan] chief and sixty men, with their women and children, who made them "a present of a good roasted salmon, and a bushel of arrow-root berries, and two bushels of bitter white roots." A rain coming up, Thompson made presents of tobacco, rings, and hawk's bells, and sent the Indians away. At 2½ P. M. they returned singing; smoked again, and discoursed of the country to the Okonogan River. Thompson continues:

"They offered to dance for our good voyage and preservation to the sea and back again, and that they might be as well every way as at the present. We accepted the offer. They all, both men, women, and children, formed a line in elipsis. They danced with the sun in a mingled manner. An old man who did not dance set the song, and the others danced running, but passing over a very small space of ground, their arms also keeping time, although hardly stirring from their sides. Some few danced apart, but they were all old women and seemed to dance much better than the others. Having danced three sets, each beginning with a speech from the chief and ending with a kind of prayer for our safety, and turning their faces up the river, and quickly lifting their hands high, and striking their palms together, and then letting them fall quickly and bringing them to the same action till the prayer was done. The men are slightly ornamented, but the women more profusely, especially about their hair, and their faces daubed with paint. Some few of them have copper ornaments hanging either to their girdles or the upper part of their petticoat. The women appeared of all sizes, but none corpulent, none handsome. The men, though many are quite ordinary, yet several were well looking and almost all well made, though not stout.—I may here remark that all their dances are a kind of religious prayer for some end. They in their dances never assume a gay, joyous countenance, but always one of serious turn, with often a trait of

enthusiasm. The step must almost always resemble the semblance of running, as if people pursuing and being pursued."

July 6 the party arrived at the Smeethowe [Methow river]. "On our approaching they gave several long thankful OYs. I sent my Simpoil to invite them to smoke. The chief received the message thankfully, and they began to collect a small present; having done which, I again invited them and they came forward and sat down in a ring and began smoking without any ceremony. The women then advanced, all ornamented with fillets and small feathers, dancing in a body to a tune of a mild song which they sang. When close to the men, an old man directed them to sit down all around the men on the outside, with the children, etc. When in place they smoked with the men; only the women were permitted. Women had a single whiff of the calumet, whilst the met took from three to six whiffs. Having smoked awhile, I explained to the chief by means of the Simpoil my intention of going to the sea to open out a road to bring merchandise to trade with them; which they thankfully received and wished a good voyage."

July 7 they saw the Cascade Mountains, as they looked up the Piscous [Wenatchee] valley, and the snow-topped Wenatchee range to the south. That afternoon they were received by the Wenatchee Indians. "They received us all dancing in their huts, one of which was about 209 yards long and the others 20 yards. There were about 120 families. I invited them to smoke and the 5 most respectable men advanced and smoked a few pipes.—They put down their little presents of roots, etc., and then continually kept blessing us and wishing us all manner of good for visiting them, with clapping their hands and extending them to the skies.—A very old respectable man often felt my shoes and legs gently, as if to know whether I was like themselves. A chief of the countries below offered to accompany us, as he understood the language of the people below, which I gladly accepted. We had much trouble to get away, as they very much wished to detain us all night. When we went they all stretched out their hands to Heaven, wishing us a good voyage and a safe return."

July 9 Thompson reached the mouth of the Snake, or Lewis river, and erected a pole with a half sheet of paper on it, claiming the country for Great Britain and declaring the intention of the New Company [Northwesters] to erect a factory there. The chief of the Nez Percés showed a small medal and a small American flag, which he had been given by Lewis and Clark. He was intelligent and friendly; "he ordered all the women to dance, which they did as usual; he gave me two salmon, and I made him a present of two feet of tobacco." Later in the day, the party came in sight of Mt. Hood.

For July 10 Thompson's observations for latitude and longitude are unintelligible; but they probably did not advance very far, as they had a "strong head gale all day; but it increased to a storm; the water swept away like snow." The Indians with whom they spent the night danced "by much the best I have ever seen, all the young of both sexes in two canoes. They made much of this hour. The dance, song, and step were measured by an old chief. Sometimes they sat down at the end. They gently sank down as it were; and rose up as regularly, the whole as usual in grand style." On this day he "heard news of the American ship's arrival."

July 11 records an all day trip with nothing but latitude and longitude, and that imperfectly taken. July 12 they passed the Dalles and the Cascades, and took a few shots without effect at the many grey colored seals. Though the Indians spoke a new and unintelligible language, the chief "jabbered a few words of broken English he had learned from the ships." Here, for the first time, he reports that the Indians, both women and men, are all naked. July 13 he camped "a little above Point Vancouver." July 15, at 1 P. M., he reached Astoria, where the Astorians in their journals give a well known account of his doings for a week.

July 22, at 1:24 P. M., his expedition left Astoria for the return, in company with the Stuart party, destined for the Okonogan. July 24 they reached the mouth of the Willamette; by July 31 they were at the Cascades. At this point Stuart's party lagged behind and Thompson and his men pushed on ahead. The geographic record of his progress has been rubbed out. His descriptions of geological features are preserved in detail. August 6 he reached the forks at Lewis river, and (all other accounts but one to the contrary), went up the Lewis river instead of the Columbia proper. At the forks he dispatched a letter to Finley, at Spokane House, telling him to send and meet him with horses. August 8, he saw the Blue Mountains to the southeast. That night he writes: "Put ashore at the mouth of a small brook [Can the Palouse river be called a small brook?], and camped, as this is the road to my first post on the Spokane lands. Here [on the Lewis river] is a village of fifty men. They danced till they were fairly tired and the chiefs had bawled themselves hoarse. They forced a present of eight horses on me, with a war garment." As there were just eight in his party, this scores once again for the historical generosity of the Nez Percés. With such treatment it is no wonder that Thompson had exclaimed two days before, "Thank Heaven for the favors we find among these numerous people!"

August 13 he writes: "Arrived at Spokane House. Thank God for his mercy to us on this journey. Found all safe; but Joco [Finley] was

with the horses sent to meet me. Late in the evening he arrived." Thompson went immediately down the Spokane and up the Columbia to Kettle Falls, reaching there August 28. One more dash of a few days' duration, from Kettle Falls to Canoe Camp, which he reached at the beginning of October, and Thompson had completed exploring every foot of the Columbia.

In the thirty two months just passed, he had spent barely two months sheltered by a rude hut; the remaining thirty he had lived out; forcing his way with the explorer's hardihood through the New World's greatest mountains and forests; finding the mountain passes, tracing the Pacific slope's greatest river; and (especially by failing to beat Astor's ship to Astoria) making history. Hasn't the failure been emphasized long enough? Shouldn't history now turn its attention to what he accomplished?

Tacoma, December 4, 1912 O. B. SPERLIN.

PROPOSED AMENDMENTS TO THE STATE CONSTITUTION OF WASHINGTON

Since statehood a total of one hundred and sixty-four bills proposing amendments have been introduced in the legislature. Of these bills eighty-one originated in the House of Representatives and seventy-three in the Senate. Of these one hundred and sixty-four bills, only fifteen were passed by the legislature and submitted to the people. Of the fifteen submitted to the people, five have been rejected and ten adopted.

In order to amend the constitution of Washington, it is necessary, first, that the bill providing for the amendment pass both houses of the legislature by a two-thirds vote of the members elected, and, second, that the amendment be approved and ratified by a majority of the electors of the state voting thereon. If more than one amendment is submitted at the same time, they must be submitted so as to permit the people to vote separately upon them. The proposed amendments must be published for at least three months preceding the election in some weekly newspaper in every county in the state.

The constitution can also be amended or revised by a constitutional convention called for that purpose. Two-thirds of the members elected to each house of the legislature can submit to the people the question of whether or not the convention shall be called. If a majority of the electors vote to call the convention, the next legislature must provide for calling the same. The convention must have at least as many members as the House of Representatives. Before the amendments or new constitution adopted by the constitutional convention become valid they must be submitted to and adopted by the people.

Several of the proposed amendments consist of complete laws on the subjects covered in the amendments. In fact, the tendency has been to embody as much of the law of the state as possible in the constitution. The original constitution itself is much more than a mere outline of principles and contains very many provisions that could have been very well left to the legislature. If all of the proposed amendments had been adopted, the constitution would more resemble a code than a constitution. In some cases the amendments proposed were not even contrary to existing provisions in the constitution, but dealt with subjects of ordinary legislation. Later, laws were passed by the legislature putting into force some of the same measures.

I did not find any record of amendments proposed at the first and

second sessions of the legislature in 1889 and 1891, but at every one of the subsequent sessions a considerable number of bills were introduced providing for constitutional amendments. I shall consider together all of the amendments bearing on the same sections and subjects.

Amendments to Article I.

At the session of the legislature in 1903, Senator W. R. Reser introduced in the Senate a bill providing for the amendment of Section 11 of Article I. Among other things, this section provides that "no public money or property shall be appropriated for or applied to any religious worship, exercise, or instruction, or the support of any religious establishment." The amendment sought to change this section by adding a proviso to the above words to the effect that "this article shall not be so construed as to forbid the employment by the state of a chaplain for the state penitentiary and for such of the state reformatories as in the discretion of the legislature may seem justified." This amendment passed the Senate by a unanimous vote of all members present and passed the House by a vote of 77 to 3. It was approved by the people in 1904 by a vote of 17,060 to 11,371.

In 1909 another attempt was made to amend this section. This amendment, proposed by Representative Alex. N. Sayre in the House, provided that the hospitals for the insane or feeble-minded and such other state charitable and reformatory institutions as the legislators may designate, as well as the state penitentiary, shall be permitted to employ a chaplain. The committee on constitutional revision, to which the bill was referred, recommended its passage, but no action was taken.

The next section of Article I. to which amendments have been proposed is section 16, relating to eminent domain. This section says: "Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes." The section then sets forth the manner of determining the compensation for taking property for public and private use, etc. A bill proposing an amendment to this section was introduced in 1905 by Senator John T. Welsh. Its purpose was to define private ways of necessity. According to the amendment, "a private way of necessity shall be held to include a right-of-way over the lands of others, whether the title to the same be or be not derived from a common grantor, for the purpose of conveniently removing any saw logs, shingle bolts, timber, lumber, stone, crops, and other agricultural products, or the product of any mine" to a convenient point from which the commodities could reach the market. The private way might be taken for a year or a term of years or permanently. The main object of this amendment was to

give the logging companies a way of getting their logs, shingle bolts, etc., across the lands of others to a convenient place for transportation. The bill was never reported out of the hands of the committee.

Twenty days later Senator Welsh introduced another bill for an amendment to the same section, which was probably intended as a substitute for the first bill. This amendment provided that the use of property for rights-of-way for agricultural, mining, milling, manufacturing, irrigation, domestic, lumbering or sanitary purposes, or for the removal of timber or timber products, is a *public use*, even though the benefit may inure to a private individual or corporation. At the end of the original section is this provision: "Whenever an attempt is made to take private property for the use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public." This second amendment added these words: "except as to the uses which are herein declared to be public." The reason for this addition is obvious—to remove the power from the courts of declaring that the private uses enumerated were not public uses—to make it easier to secure the desired right-of-way. This bill passed the Senate by a vote of 33 to 1, but was never voted on by the House.

At the same session (1905) in the House, Representative Joseph Irving introduced a bill amending Section 16 of Article I. by including in the list of private uses for which private property may be taken a right-of-way for the removal of timber products.

A few weeks later he introduced another bill, which was identical with Senator Welsh's second bill. This bill was slightly amended, passed the House 85 to 1 and the Senate 39 to 1 and was approved by the governor. It was voted on by the people in November, 1906, and was rejected by a vote of 15,257 for the amendment, 20,984 against the amendment.

The same amendment was proposed in 1907 by Representative E. M. Stephens, was passed almost unanimously, approved by the governor and again rejected by the people in 1908 by the following vote: for the amendment 26,849, against the amendment 52,721.

At the session of 1895 Representative Nelson proposed an amendment to Section 21 of Article I., relating to trial by jury and providing that the legislature may provide for a verdict by ten or more jurors in criminal cases in courts of record. The bill was indefinitely postponed.

In 1899 Representative G. B. Gunderson proposed the following amendment to the same section: "In courts of general jurisdiction, except in capital cases, a jury shall consist of eight jurors. In courts of inferior

jurisdiction a jury shall consist of four jurors. In criminal cases the verdict shall be unanimous. In civil cases three-fourths of the jurors may find a verdict." The bill was indefinitely postponed.

Practically the same bill was introduced four years later (1903) by Representative C. D. King. There was the further provision that a grand jury shall consist of twelve jurors. This amendment passed the House by a vote of 64 to 11, but was never voted on by the Senate.

The same bill was introduced at the 1905 session by Representative E. L. Minard, and indefinitely postponed.

In 1907 Senator George U. Piper proposed to change the section relating to trial by jury so as to read: "Trial by jury in all criminal and civil cases is hereby abolished. The legislature shall provide that all criminal and civil cases shall be heard and determined by judges, and the legislature shall further provide a system of procedure to carry this provision into effect." No action was ever taken on this bill.

Section 26 of Article I. provides that "no grand jury shall be drawn or summoned in any county, except the superior court thereof shall so order." Senator George Cotterill in 1909 submitted an amendment to this section, providing that a grand jury shall be drawn in each county at least once a year. The bill was placed on the general file, but was never voted upon.

Senator Daniel Landon introduced in the Senate in 1911 the first bill that was ever introduced in the legislature providing for the recall. This bill provided for the adding of two sections, 33 and 34, to Article I., to contain substantially the following: Every elective officer in the state is subject to recall and discharge by the voters of the state or smaller subdivisions. The recall petition must contain the reasons for the demand and be signed by not less than 25 per cent of the voters of the state or subdivision. Upon the filing of the required petition a special election is held and the result determined, as provided by the general election laws. No action was taken on this bill, but the House bill containing the same provisions, except that judicial officers were specifically exempt, was introduced by Messrs. Govnor Teats and Hugh Todd and passed by the House 74 to 6 and by the Senate 29 to 7. The amendment was voted on by the people at the November election, 1912, and approved.

Amendments to Article II.

Section 1 of Article II. provides that "The legislative powers shall be vested in a senate and house of representatives, which shall be called the legislature of the State of Washington." As early as 1895 an attempt was made to amend this section by providing for the initiative and

referendum. The bill was introduced by Representative L. E. Rader, and provided that the legislative power of the state shall also be vested in the electors of the state, and that the legislative power of any municipal division of the state (such as county, city, town, township, etc.) shall be exercised by the legislative body thereof, and by the senate and house of representatives and by the qualified electors in such division. To propose a measure requires 5 per cent of the qualified electors of the state if the measure affects the whole state, and 5 per cent of the electors of the municipal division if the measure affects less than the whole state. The legislature may provide that measures for the immediate preservation of the public peace, health and safety shall take effect immediately. No other measure shall go into effect until the expiration of a specified period, during which petitions calling for a vote on the measure may be filed. Five per cent of the electors may require the submission of a law passed by the legislature to the popular vote.

The committee to which this amendment was referred recommended its indefinite postponement. No action was taken.

In 1897 Representative C. P. Bush proposed an amendment similar in nearly every respect to the preceding amendment. This bill passed the House by a vote of 63 to 12. It failed to pass the Senate. The vote was: Yeas 15, nays 7, absent 12.

The next amendment providing for the initiative and referendum was proposed in 1901 in the House by Representative T. C. Miles. The initiative or referendum could be invoked by 10 per cent of the qualified electors of the state. Laws necessary for the immediate preservation of the public peace, health or safety, or support of the state government and its existing public institutions were not subject to the referendum. The veto power could not be exercised as to measures referred to the people. Also the initiative might be used as to future amendments to the constitution. The bill proposing this amendment was indefinitely postponed.

Senator L. C. Crow introduced the same measure in the Senate, and it was likewise disposed of there.

In 1903 the attempt of Representative J. J. Cameron to get a similar bill through the House failed.

Senator George Cotterill in 1907 introduced a long bill providing for an elaborate plan for the initiative and referendum. The amendment provided for both a state and local initiative and referendum. For the state initiative 8 per cent of the legal voters was required and for the local initiative for all local, special, and municipal legislation, 15 per cent; the state referendum, 8 per cent, the local referendum, 10 per cent. Amendments to the constitution could be proposed by the initiative as ordinary bills.

A two-thirds vote of the House and Senate was necessary to declare that the law was of immediate necessity and should take effect at once. The legislature could reject any measure proposed by the initiative and propose a different one for the same purpose, in which case both measures were to be submitted to the people and the one receiving the highest number of votes was to become law. All initiative petitions must contain the full text of the proposed bill. No veto was allowed on measures submitted to the people. This amendment was in the form of a complete law covering the initiative and referendum, and it provied that it was self-executing, although the legislature might pass laws to facilitate its operation. The bill never came to a final vote, although a majority of the committee to which it was referred recommended its passage.

The Cotterill amendment was introduced at the same session in the House by Representative Glenn N. Ranck. It passed the House by a vote of 66 to 26, but was indefinitely postponed by the Senate, only twelve voting against postponement.

In 1909 a bill identical with the Cotterill bill was introduced by Senator R. A. Hutchinson. The bill never came to a vote.

Messrs. Hugh Todd and George L. Denman introduced the same bill in the House, but on motion the bill was indefinitely postponed.

It is unnecessary to discuss fully the bills which were introduced at the 1911 session of the legislature which led to the final passage of our present initiative and referendum amendment. It is sufficient to enumerate them and to give the substance of the one which was passed and which is now a part of our constitution.

Representatives Hugh Todd and Govnor Teats, in the House, and Senator Dan Landon, in the Senate, introduced identical bills. About the same time Representatives Denman, Phipps and Halsey introduced a bill the same in all essential features, except it provided also for the local initiative and referendum. All of these bills were indefinitely postponed and a new bill prepared by Messrs. Teats, Todd, Buchanan, Denman, Phipps, Halsey and Wright, was submitted to the House. It was approved by the House by a vote of 79 to 12 and by the Senate by a vote of 32 to 7. It was submitted to the people in November, 1912, and was approved by an overwhelming majority.

The initiative and referendum amendment of our constitution provides for a state initiative and referendum only. The initiative may be invoked by not less than 10 per cent of the qualified voters, but in any case not more than 50,000. The petition must include the full text of the measure and must be filed with the Secretary of State not less than four months before the election, at which it is to be voted on, or not less than ten days

before any regular session of the legislature. If filed four months before the election at which they are to be voted on the Secretary of State must submit the same to the people at the election. If filed not less than ten days before the session of the legislature, the bills so proposed shall take precedence over other bills except appropriation bills, and must be rejected or enacted without change. If enacted, they shall be subject to the referendum or they may be referred to the people by the legislature. If rejected or if no action is taken, they shall be submitted at the next general election. The legislature may propose a substitute, in which case the people vote, first, as between either or neither, and, second, as between one and the other. The referendum applies to all measures passed by the legislature except "such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions." It is instituted either by the legislature, or by 6 per cent of the voters, but in no case more than 30,000. No act approved by the electors can be amended or repealed within two years after enactment. There can be no veto of measures approved by the people. The vote on all measures referred to the people must equal one-third of the total vote cast at such election. The number of electors voting for governor at the preceding election. The number of electors voting for governor at the preceding election is the basis for determining the number necessary to invoke the initiative or referendum.

Section 2 of Article II. provides that "The house of representatives shall be composed of not less than 63 nor more than 99 members. The number of senators shall not be more than one-half nor less than one-third of the number of members of the house. * * * *" Two attempts to amend this section have been made. Representative C. J. Moore in 1897 proposed to reduce the number of representatives to not less than 40 nor more than 60. Senators H. A. Espey and A. W. Anderson in 1911 proposed that the "Senate shall be composed of as many senators as there are counties in the state, one senator being elected from each county." Both amendments were indefinitely postponed.

In 1911 Representative E. A. Sims proposed to change Sections 5 and 12 of Article II. so as to require quadriennial elections for members of the house of representatives instead of biennial, as theretofore. The majority of the committee on constitutional revision recommended the passage of the bill, but no action was taken.

Section 12 of Article II. provides in part that "Sessions of the legislature shall be held biennially unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the session shall not be more than

60 days." Senator Jesse Huxtable's bill, introduced in 1911, proposed to amend this by leaving out the clause limiting the legislative session to 60 days and by changing the date of meeting from the first Wednesday after the first Monday in January to the second Monday in January. The bill was indefinitely postponed.

Under the constitution, Section 23 of Article 2, "Each member of the legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route." Attempts have been made to increase and to decrease this allowance. In 1895 Messrs. G. M. Witt and J. B. Laing in the House of Representatives proposed to cut the per diem salary to four dollars and the mileage to five cents per mile. This failed to get the necessary two-thirds vote, although a majority voted for it.

Senator Andrew Hemrich in 1901 proposed to limit the compensation to not more than $200 for per diem allowance. His bill was indefinitely postponed.

In 1911 Senator Jesse Huxtable proposed to give each member of the legislature an annual salary of $1,000. This would make his salary for each session $2,000. The bill was indefinitely postponed.

Senator Harry Rosenhaupt at the same session introduced a bill to allow each member fifteen dollars for each day's attendance during the session and five cents for every mile traveled; "but such pay shall not exceed in the aggregate $600 per diem allowance for a general session," nor more than $300 for a special session. This bill was never voted on.

In the House at this session Representative E. A. Sims proposed to give each member $10 for each day's attendance. The committee reported favorably, but the amendment never came to a vote.

One of the first attempts to amend the constitution was directed at Section 33 of Article II. This section prohibits the ownership of lands by aliens or by corporations, the majority of whose capital stock is owned by aliens, except where obtained in certain cases, such as by inheritance, under mortgage, or in the collection of debts. Senator John R. Kinnear, in 1893, proposed to amend this section so as to permit aliens to own land within any incorporated city or town in the state. His bill was not voted on.

The same bill, introduced in the house by Representative L. C. Gilman, received a vote of 39 yeas, 22 nays with 17 absent. The bill, therefore, failed to receive the constitutional majority.

Mr. Harry Rosenhaupt in 1899 in the House proposed to limit the ownership of land by aliens to 320 acres by one alien. His bill passed the House 61 to 10, but failed in the Senate: Yeas 16, nays 8, absent 10.

In the Senate, Senator Herman D. Crow introduced a bill making the limit 640 acres for each alien. No action was taken on this bill.

In 1901 Representative Harry Rosenhaupt introduced a bill similar to Senator Crow's bill, but it was indefinitely postponed.

In 1905, at the instance of Senator M. E. Stansell, a bill was introduced which proposed to add the following words to Section 33: The provisions of this section shall not "apply to lands conveying water for beneficial purposes; nor apply to land or waters acquired or used for mining, smelting, refining, transporation, or manufacturing purposes; nor apply to the ownership of lands or waters by corporations, the majority of the capital stock of which is owned by aliens." This amendment passed the Senate 31 to 5, but failed in the House. Yeas 34, nays 32, absent 28.

At the 1911 session Senator Josiah Collins again proposed the amendment permitting the ownership by aliens of city or town property. The Senate passed the bill 29 to 9, but no action was taken in the House.

Section 39 of Article II. provides that "It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision." This provision has been the occasion of considerable worry on the part of some members of the legislature and other state officials who were in the habit of riding on passes furnished by the railroad companies in the early days and even in some cases collecting mileage from the state in addition. It is not strange, therefore, that several attempts have been made to get the obnoxious section out of the constitution. Senator Belknap, in 1895, introduced a bill providing that this section be stricken out. The bill was reported from the committee on constitutional revision without recommendation, but it was never voted on.

In 1897 Senator John McReavy proposed "That it shall not be lawful for any person holding public office in this state to demand or receive mileage or compensation in lieu thereof during the time such person shall hold and use a pass or other free transportation from a railroad or other corporation," as a substitute for Section 39. The bill was never acted on.

Representative A. J. Falknor in 1899 proposed to amend Section 20 of Article 12, which provides that the railroads shall not grant passes to public officers (essentially the same as Section 39 of Article II.), so as to read: "Every railroad or other transportation company shall grant free passes upon application therefor to every member of the legislature and to every person holding any public office within this state." This bill was indefinitely postponed.

In 1903 Representative Samuel A. Wells introduced an amendment to Section 39 essentially the same as the preceding, but also providing that no mileage shall be allowed to or paid to, any officer so traveling free. The committee recommended that it be placed on second reading, but it stopped there.

Senator M. E. Stansell in 1905 proposed a similar amendment to Section 20 of Article XII., relating to transportation of public officials, so as to compel all railroad or other transportation companies to grant free passes over its lines in Washington to all state officials, county officials and members of the legislature. No action was taken on this amendment.

Amendments to Article III.

Turning to Article III., we find that in 1911 Representative Edgar J. Wright proposed to amend Sections 1 and 3 so as to render the governor ineligible for re-election for the term succeeding that for which he was elected and to provide that the secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands and other state officers as may be provided by the legislature shall be appointed by the governor subject to the approval of the Senate and may be removed from office at any time by the governor upon good cause. The legislature shall provide general laws for the recall of the governor and lieutenant governor. This proposed amendment was indefinitely postponed.

The state constitution does not provide any method of filling the office of governor in case the governor, lieutenant-governor and secretary of state die, resign, or for any other reason are incapable of acting as governor. To remedy this defect, attention to which was probably called by the death of Governor Samuel G. Cosgrove, and the succession of Lieutenant Governor Hay, Representative Hugh Todd proposed an amendment in 1909 providing that the following state officers shall succeed to the duties of governor, and in the order named, to-wit: Secretary of state, treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. This bill passed the House 85 to 1 and the Senate 38 to 0. It was approved by the people in 1910 by a vote of 51,257 to 14,186.

Under Section 12 of Article III., it requires a two-thirds vote of the members present in both houses of the legislature to pass a bill over the governor's veto. Senator Hill in 1899 proposed to require only a majority of the members present to pass a bill over the veto. No action was taken.

Frequent attempts have been made to amend Sections 14 to 22 of Article III. and Section 14 of Article IV., relating to the salaries of state officers. Under the constitution, the schedule of salaries is as follows:

Governor, $4,000 and never more than $6,000.

Lieutenant-governor, $1,000 and never more than $2,000.

Secretary of state, $2,500 and never more than $3,000.

Treasurer, $2,000 and never more than $4,000.

Auditor, $2,000 and never more than $3,000.

Attorney general, $2,500 and never more than $3,500.

Superintendent of public instruction, $2,500 and never more than $4,000.

Supreme judges, $4,000, but may be increased.

Superior judges, $3,000, but may be increased.

Eleven bills were introduced providing for amendments lowering the salaries of the state officers. Some of the amendments reduce the amounts in the constitution $500 or $1,000. Others practically cut them down by half, in some cases fixing some of the salaries for such officers as attorney general, auditor and treasurer at $1,500 per year. None of the bills passed both houses, and none was introduced after 1897.

Amendments to Article IV.

An amendment providing for a non-partisan supreme court was introduced in 1901 by Senator Herman D. Crow, now one of the judges of the supreme court. His bill provided that judges of the supreme court shall be elected by the electors at large at judicial elections when none but candidates for judicial positions shall be voted for. The amendment provided for an eight-year term, instead of the six-year term, as in the constitution. Elections were to be held every four years and the judges so elected that there would never be an entirely new court. The election could not be held within sixty days of any general state or county election or any municipal election in a city of over 10,000 population. No party symbol or designation was to be placed on the ticket. Any person eligible to the office could become a candidate by filing in the office of the secretary of state sixty days before the election a petition that his name be placed on the ballot as a candidate, signed by not less than 1,000 qualified electors of the state at large. Any person who knowingly received and did not decline the nomination or endorsement of any party convention was not entitled to continue as a candidate and be voted on. No action was taken on this bill.

As a part of the same bill, Senator Crow proposed a similar amendment affecting the superior court judges. In this case only 250 electors of the county in which the judge was a candidate were required for the nominating petitions. This bill applied to Sections 3 and 5 of Article IV.

Only one attempt has been made to make the supreme court judges appointive instead of elective. In 1911 Representative Charles R. Larne

proposed to amend Section 3 of Article IV. so as to require the appointment of all the supreme court judges by the governor. He further proposed to make the term of office twelve years and that not more than one appointment shall be made in any one year. The bill proposing the amendment was indefinitely postponed.

Representative J. P. de Mattos in 1897 proposed to add the following words to Section 4 of Article IV.: "The supreme court shall give its opinion upon important questions upon solemn occasions when required by the governor, the Senate, or the House of Representatives, and all such opinions shall be published in connection with the reported decisions of the supreme court." This amendment passed the House by a vote of 57 to 12, but it was never acted on by the Senate.

Two attempts have been made to require that no person shall hold the office of judge or justice of any court in the state longer than until the second Monday of January next after he shall be seventy years. This amendment was proposed in 1893 and in 1895, but no action was taken at either time.

In 1895 Representative W. H. Ham introduced an amendment to Section 5, which involved the following important changes and additions: "The legislature shall have power to change the number of superior court judges and rearrange the districts when it shall deem it wise so to do: Provided, That no rearrangement shall ever be made whereby any or groups of counties having less than 20,000 population shall be allowed a superior judge, and no county or group of counties shall be allowed an additional judge unless the population shall be at least 15,000 for each judge, in addition to the first 20,000 of population." This amendment was indefinitely postponed.

Under the constitution, Section 6 of Article IV., the jurisdiction of justices of the peace extends to controversies under $100. It has been thought by many that if the jurisdiction were raised to $300, much of the congestion in the superior courts of the state would be relieved. Accordingly in 1893, 1895, and 1909 attempts were made to make this change or to leave the question to the legislature. They were unsuccessful. In 1895 an amendment was proposed by Representative Nelson to Section 10 of Article IV. resuiring, in addition, that justices of the peace in cities having more than 5,000 inhabitants be admitted to the bar.

In 1895 Senator Frank P. Lewis submitted an amendment to Section 17, relating to justices of the peace. It proposed to leave out of the original section the following provisions: "Provided, That such jurisdiction granted by the legislature shall not touch upon the jurisdiction of superior or other courts of record, except that justices of the peace may

be made police justices of incorporated cities and towns having more than 5,000 inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use." The amendment provided that the term of office, powers, duties, jurisdiction and compensation of justices shall be prescribed by the legislature. It was indefinitely postponed.

In 1907 Senator Booth proposed to add another section to Article IV. to be Section 29, and to provide that the term of office of supreme court judges shall be eight years and superior court judges six years, and that the judicial election be held at a different time than the general or county election. No action.

Senator Ralph Metcalf in 1911 introduced a bill providing that Section 29 read as follows: "All judges of the supreme and superior courts of the State of Washington shall be nominated at direct primaries, and the legislature shall pass laws to carry this amendment into effect." No action was taken.

A third amendment, to be known as Section 29, was introduced by Representative Edgar J. Wright. It provided that in counties having more than 100,000 inhabitants, the judges of the superior court may be paid such salary in addition to that provided by the legislature as the county commissioners may determine. No action was taken.

Mr. J. E. Campbell, in the House in 1911, proposed to include as Section 29 the following: "No act or proceeding of the legislature, or part of any act or proceeding, shall be set aside or declared unconstitutional by any justice, judge or court whatsoever. The will of the people, as expressed by enactment of the legislature or by the people, shall be the supreme law." Only five of a total of 94 members had the temerity to vote for this amendment.

Amendments to Article V.

The present law governing impeachment proceedings is set forth in Section 1 Article V. and is substantially as follows: The House of Representatives shall have the sole power of impeachment, a majority of all members being required for impeachment. The Senate shall try all impeachments. If the governor or lieutenant-governor is on trial, the chief justice of the supreme court shall preside. A two-thirds vote is necessary to convict.

Representative Solon T. Williams in 1895 proposed to change this section so as to give the House of Representatives power to impeach only judges of the supreme court, and the Senate to try such cases, as under the original provision. It further provided that all other officers liable to im-

peachment shall be tried before the supreme court, and the manner of procedure shall be such as may be prescribed by rule by the supreme court. This bill passed the House by a vote of 62 to 3, but was indefinitely postponed in the Senate, the senators probably being reluctant to give up the power of acting as a court of impeachment.

Senator C. W. Dorr in 1895 proposed to strike Sections 1, 2 and 3 of Article V. and to rewrite the entire article. The only important change which his amendment contemplated was to give the supreme court power and to make it its duty to suspend or remove any judges of the superior court, or of any other inferior court of record of this state, for any high crime, or misdemeanor, or misfeasance or malfeasance in office. The amendment failed to pass the Senate by the following vote: Yeas 20, nays 12, absent 2.

Representative Charles R. Larne in 1911 proposed an amendment to this article by adding a section providing for a recall of all public officers (except judicial officers) by 35 per cent of the voters. As the recall amendment which was adopted was to Article I. it is unnecessary to consider this amendment further.

Amendments to Article VI.

Section 1 of Article VI., relative to qualifications of electors, has had an interesting history. As early as 1893, Senator B. F. Shaw (by request) introduced an amendment to this article granting a limited suffrage to women. His bill provided that "All female citizens of the United States, native born or naturalized, who can read and write the English language; who pay taxes upon real estate recorded in the county auditor's office and who otherwise conform to provisions of Article VI., shall be entitled to vote at all elections; Provided, They shall not have been convicted of any crime or misdemeanor within the ten years next preceding any election at which they offer to vote." This last provision is rather amusing in view of the fact that no such restriction is imposed by the constitution on male voters.

In 1895 three bills were introduced granting suffrage to women on the same basis as men, but none was passed.

In 1897, however, the suffrage amendment was passed by a vote of 24 to 10 in the Senate, 54 to 15 in the House. At the election in 1898 the people rejected it at the polls by a vote of 20,658 for equal suffrage, 30,540 against equal suffrage.

In 1901 Representative J. B. Gunderson attempted to amend Section 1 by adding: "Provided, That there shall be no denial of the elective franchise on account of sex at any election for the purpose of electing a

county superintendent of common schools." The bill was indefinitely postponed.

It was not until 1909 that the woman's suffrage question was again opened. At this session the legislature by a vote of 70 to 18 in the House, 30 to 9 in the Senate, passed an amendment granting equal suffrage to women. In 1910 the amendment was approved by the people: 52,299 for the amendment, 29,676 against the amendment.

Section 1 of Article VI. was also amended by inserting an educational test for all voters. Representative O. B. Nelson in 1895 introduced the bill. It provided that the electors of the state shall be able to read and speak the English language. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language. The amendment was approved in 1896 by a popular vote of 28,019 to 11,983.

In 1901 Senator J. J. Smith proposed to require that in order to be qualified voters naturalized citizens must have become citizens at least six months prior to the election at which they desire to vote. This amendment passed the Senate by a vote of 24 to 6, but was never voted on by the House.

Other similar amendments were proposed to Sections 1, 4 and 9 of Article VI. An unimportant amendment was proposed to Section 8.

Amendments to Article VII.

Article VII. relates to revenue and taxation. A number of attempts have been made to amend it, but none of the amendments was approved by the people. One of these amendments, introduced in 1907, provided that Sections 1, 2, 3, 4, and 5 of Article VII., relating to the annual state tax, uniformity and equality of taxation, assessment of corporate property, etc., be stricken and the following section substituted: "The power of taxation shall never be surrendered, suspended or contracted away. Taxes shall be uniform upon the same class of subjects, and shall be levied and collected for public purposes." The essential provisions that would have been abolished under this amendment may be summarized as follows: "All property in the state not exempt under the laws of the United States or under this constitution, shall be taxed according to its value. For the purpose of paying the state debt, if there be any, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years. The legislature shall provide a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money; Provided, That a deduction of debts from credits may be authorized; provided, further, That the property of the United States, and of the state, counties, school districts, and

other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation. The legislature shall provide by general law for the assessing and levying of taxes on all corporation property, as near as may be by the same methods as are provided for the assessing, and levying of taxes on individual property.* *" The probable purpose of the amendment was to give the state more freedom in selecting sources of revenue, such as a corporation tax and a single tax.

The amendment striking these provisions and substituting the above clause was voted down by the people in 1908 by a vote of 60,244 to 23,371.

In 1909 Senator Charles E. Myers proposed to strike Sections 1, 2, 3, and 4 and to substitute an amendment in substance as follows: The amendment follows the words of last amendment discussed and further provides "that property used for public burying grounds, public schools, public hospitals, academies, colleges, universities, and all seminaries of learning, property used by all religious organizations or associations, as parsonages, or houses of religious worship, by young men's and young women's Christian associations, and by all institutions of purely public charity, and all public property used exclusively for public purposes, shall be exempt from taxation." This amendment failed to pass the Senate.

Similar bills to the above were introduced in 1909 and 1911. In all, seven bills were introduced at different times exempting the personal property of individuals or heads of families to an amount not exceeding $300. In 1899 such an amendment was passed by the legislature and approved by the people in 1900 by a vote of 35,398 to 8,975. The clause reads: "And provided further, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of $300 for each head of a family liable to assessment and taxation under the provisions of the laws of this state, of which the individual is the actual bona fide owner."

Senator Ralph Nichols (by request) introduced a long amendment in 1909 striking Sections 1, 2, and 3 of Article VII. and inserting in lieu thereof Sections 1 to 6, embodying the following essential changes: In Section 1, the period during which times the state must provide for the payment of interest and principal on a state debt was changed from 20 to 25 years. There were provisions exempting charitable institutions, etc., and to heads of families, personal property to the amount of $300.

"The legislative power shall provide a uniform and equal rate of assessment and levy upon all real property in the state according to its full value in money.

"Taxes upon all personal property shall be assessed to and levied upon the owner thereof upon the basis of the yearly income and proceeds received therefrom. * * * * Provided, That the assessment and levy of taxes upon the personal property of all companies and corporations doing business on any railroad or steamboat in the state and companies and corporations having no personal property to assess shall be made upon the basis of their receipts"; and Provided, That all insurance companies doing business in this state shall pay a tax on their gross premiums, less the amount of losses actually paid.

"The legislative power shall have authority to provide for the levy of state, county or municipality, of license, franchise, gross revenue, excise, collateral and direct inheritance, legacy, succession, graduated collateral and direct inheritance, legacy and succession taxes; upon the basis of value or revenue.

"Taxes may be assessed and levied by the state upon the personal property of all public or quasi-public service corporations and companies doing an inter-county business upon the basis of income or proceeds received from said business. * * * *"

No action was ever taken on this amendment.

In 1897 the following proviso was submitted as an amendment to Section 2 of Article VII.: "Provided, That it shall be optional with each municipal corporation in the state to fix and determine by a majority vote of such municipal corporations the class or classes of property upon which taxes for municipal purposes shall be levied, which tax shall be uniform as to persons and class." This amendment was designed to give counties and cities in the state some freedom in providing for their own revenues. The bill passed both houses, but was voted down by the people in 1898: For the amendment 15,986, against it 33,850.

Senator T. B. Sumner in 1907 proposed to add the following proviso to Section 2: "Provided, That provision may be made for the payment of specific taxes on certain classes of personal property, and that public service property may be taxed by such methods and for such purposes as may be fixed by general law. The bill was not voted on.

In 1903 the following proviso was suggested for Section 3 relating to the assessment of corporate property: "Provided, That the legislature may provide for the levy, assessment and collection of taxes for state, county and municipal purposes, upon the franchises and intangible property of all corporations or individuals." The bill was indefinitely postponed.

Section 6 of Article VII. provides that all taxes shall be paid in money. An amendment was proposed in 1895 permitting their payment in money or state warrants. The bill failed to pass, as did similar bills in 1897.

Two attempts have been made to limit the rate of taxation by constitutional amendment. In 1903 Representative Joseph B. Lindsley proposed to add Section 10 to Article VII., limiting the rate to 3 mills on each dollar of valuation. If the taxable property in the state shall exceed $100,000,000, the rate should not exceed 2½ mills; $300,000,000, 1½ mills. The committee recommended indefinite postponement.

In 1909 Representative E. B. Palmer proposed that the rate for state purposes shall not exced 5 mills; for county purposes, 5 mills; for municipal purposes, 5 mills; for township, road district, or school district purposes, 5 mills. No action was taken.

Amendments to Article VIII.

The only amendment ever proposed to Article VIII. was offered by Representative Edward L. French in 1911. It provided: "Section 4. All bills providing for the appropriation of money shall originate in the House of Representatives, but the Senate may propose or concur with amendments, as on other bills." The committee recommended the passage of this amendment, but no action was taken.

Amendments to Article XI.

Section 2 of Article XI. provides that a county seat shall not be removed unless three-fifths of the electors vote for it at a general election. An amendment proposed in 1895 provided that the vote be had at a special election to be held not less than 90 days before or after a general election. The committee recommended that the bill do not pass for the reason that there is not sufficient change sought to be effected to warrant the necessary expense. The report was adopted.

In 1907 Senator Peter McGregor proposed to amend Section 3 of Article XI., relating to the establishment of new counties by raising the required population for the creating of a new county from two to ten thousand and also that new counties may be created out of an existing county or counties, provided a majority in the county or counties affected vote for the new county or counties. The bill passed the Senate 33 to 0, but failed in the House. Yeas 23, nays 48, absent 24.

Senator McGregor introduced the same amendment at the next session in 1909, but it never came to a vote.

Two amendments were introduced in 1905 and 1911, respectively, to remedy a clause in Section 4 of Article XI. The clause reads: "The legislature shall, by general laws, provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine." It was

proposed to amend it so as to permit township organization if a majority of those voting on the question of township organization shall favor it. Neither amendment was passed.

Sections 5, 6, 7, and 8 of Article XI. provide for the election and compensation of county officers, that all vacancies shall be filled by the county commissioners, that no county officer shall be eligible to hold his office more than two terms in succession, and that the legislature shall fix the salaries of all county officers. Representative Edgar J. Wright in 1911 proposed to strike these sections and to insert in lieu thereof sections containing the following innovations: The sheriff, clerk, treasurer, auditor and assessor shall constitute the board of county commissioners, and such board shall have power to appoint such other county officers as are necessary, regulate their salaries and duties and fix their terms of office, not exceeding their own term of office. The section limiting county officers to two terms in succession was omitted. All elective county officers were to be recalled by the electors of their county under general laws to be provided by the legislature. The proposed amendment was indefinitely postponed.

Several other attempts have been made to exclude certain county officers from the provision limiting officers from two terms in succession. In 1901 Representative G. B. Gunderson proposed to exempt county superintendents from this section. In 1903 Senator E. B. Palmer proposed to allow the county assessor to hold office more than two terms in succession. In 1909 Senator Evan C. Davis proposed to allow all but county treasurers to hold office more than two terms in succession. The last amendment was passed in 1911 and rejected by the people in 1912.

The original provision in Section 6 of Article XI. provides that county officers appointed to fill vacancies shall hold office "till the next general election, and until their successors are elected and qualified." Amendments introduced in 1893 and 1895 change this provision so as to read: "Officers thus appointed shall hold office until the second Monday of January next succeeding the general election and until their successors are elected and qualified." Both bills were killed.

An amendment to Section 8 of Article XI. was introduced in 1895 providing for the following changes: The county commissioners and not the legislature shall fix the salaries of county officers, except county commissioners; provided, however, the total cost of conducting the offices of county sheriff, auditor, and clerk shall not exceed in any one year the earning of their respective offices, and that the expenses of the treasurer's office shall not exceed 2 per centum of all the moneys received and paid out by him during such year. The amendment was indefinitely postponed.

Section 10 of Article 11 relates to the incorporation of municipalities. Section 11 provides that any county, city, town or municipality may make and enforce within its limits all such local, police, sanitary and other regulations as are not in conflict with the general laws.

In 1895 Senator C. W. Ide tried to amend Section 10 by striking out most of the matter setting forth the steps necessarry in incorporating a municipality, and thus leaving such details to the legislature. His bill passed the senate and was reported favorably, but never voted on, in the House.

In 1911 Representative William Wray of Seattle proposed to leave all matters of purely local concern in cities of 10,000 inhabitants or over to those cities to the exclusion of the authority of the state government and state laws. No action was taken.

Representative George W. Hoff in 1903 introduced an amendment adding the following words to Section 12 of Article XI.: Provided, That the legislature shall have power to impose taxes upon the property, privileges, and franchises of railroads, and other intangible property of all corporations or individuals, and to provide means for the collection and apportionment of such taxes to counties and the several municipal corporations or divisions of the state." The committee recommended its indefinite postponement.

Amendments to Article XII.

Senator Warburton's amendment to Section 18 of Article XII. in 1903 is a complete law providing for a railway commission. The bill provided for a commission of three members to be chosen for a term of six years and receive an annual salary of $5,000 per year. The commission was to have power to fix reasonable maxinmum rates, prevent discrimination and extortion, fine for contempt, etc. An appeal from its decisions could be taken to the supreme court. The bill was never reported back by the committee.

Amendments to Article XVI.

In 1893 an amendment to Section 5 of Article XVI. was passed by the legislature and approved by the people by a vote of 18,884 to 5,598, providing that the permanent school fund of the state may be invested in national, state, county, municipal or school district bonds.

Amendments to Article XIX.

Section 1 of Article XIX. provides: "The legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families."

Representative John R. Rogers in 1895 proposed to substitute the following provision: Real estate and improvements to the extent of $2,500

held, used and occupied as a homestead by a citizen of the state is forever exempted from all taxation. No action was taken. The same bill in 1897 met a similar fate.

Amendments to Article XXI.

Section 1 of Article 21 reads: "The use of the waters of this state for irrigation, mining, and manufacturing purposes shall be deemed a public use."

In 1905 Representative E. L. Minard proposed to extend this provision to cover the use of waters for the removal of timber products. The amendment was passed, but was defeated by the people in 1906. The vote was: for the amendment 18,462, against it 20,258. The same amendment was introduced in 1907 and indefinitely postponed.

Amendments to Article XXIII.

In 1897 and 1899 amendments were proposed cutting down the two-thirds majority required for the passage of constitutional amendments by the legislature to a mere majority, and in one amendment to a three-fifths majority. None received the approval of the legislature.

Representative John Catlin in 1895 proposed an amendment to Section 4 of this article substantially as follows: On a demand of 10 per cent of the electors or of 20 per cent of either house, any article or section of the constitution shall be submitted to the people at the next general election for amendment, substitution or abolition. The committee recommended that the bill be indefinitely postponed

Senators Dan Landon and Henry M. White and Representatives Govnor Teats and Hugh Todd at the 1911 session of the legislature proposed an amendment providing for the initiative for amendments to the constitution. Their bill provided that the people reserve to themselves the power to propose, independent of the legislature, any amendment by petition setting forth the full text of the amendment signed by 8 per cent, but in any case not over 50,000, of the legal voters of the state. The amendment so proposed was to be voted on at the next general election and approved or rejected in the usual manner. This amendment passed the House by a vote of 77 to 15, but it was never voted on by the Senate.

LEO JONES.

WILLIAM WEIR

The subject of this sketch was born in Kentucky, in 1787, of Scotch-Irish parents. He was a very hardy, adventurous spirit, enterprising and aggressive, and left home at about the age of fifteen, going out to seek his fortune. He crossed over into Missouri and entered the employ of the Missouri Fur Company, and in that employ he was regularly trained as a hunter and trapper, and gained the expert knowledge as a woodsman and frontier prospector that enabled him to perform valuable service to the country in exploring the then far off and all but unknown country of the Pacific Northwest. He was continuously in the employ of the Old Missouri Fur Company until upwards of fifteen years had passed by, while the greater part of the continent was an unbroken wilderness, tenanted only by wild beasts and still wilder Indians. He made hunting and trapping his life occupation during the period mentioned, and in the course of his duties went nearly all over the continent, and passed through many thrilling experiences with hostile Indians, dangerous animals, and all perils known to a new and unsettled country. In those days the hunters, trappers and explorers had to literally take their lives in their hands, going far beyond the confines of civilization, depending on the country for their sustenance, and facing perils by night and by day. Mr. Weir, upon three separate occasions in the course of such trips, was the only man escaping with his life out of the party, all the others being killed by the Indians. His life seemed to be charmed. His personal experiences, if narrated simply as they happened, would be as interesting as any of Fennimore Cooper's tales of the Indians and pioneer white people of the Atlantic coast. In 1816 Mr. Weir married and settled on land in what afterwards became Crawford County, Missouri. Even after this he made a trip through Mexico and the wilds of Texas in the interests of his old employers, returning home in 1821, where he died in 1845, after clearing a farm in the wilderness and raising a family of ten children, who became in turn pioneers on the frontiers of the newly developing country of the United States.

The purpose of Mr. Weir's introduction in this connection is to recount briefly his services historically to the country in the early explorations of the old "Oregon Country." He explored its confines four years after the date of the Lewis and Clark expedition, and more than two years before the Astor expedition, which established the trading post at the

mouth of the Columbia river known ever since as "Astoria." The only reason why Mr. Weir's explorations in this northwest were not as prominent as were those of Lewis and Clark was that they came under the auspices of the United States government, with a military escort, while he was in private employ. The facts and date of his coming have been gathered by his grandson, the present writer, and have been verified as to dates from the records of the Missouri State Historical Society.

In 1809, in company with about fifteen other hunters and trappers, all in the employ of the Missouri Fur Company, Mr. Weir went up the Missouri river from St. Louis to its headwaters, crossed the Rocky Mountains, found the headwaters of the Columbia river, and followed them down toward the Pacific Coast, making their winter encampment during the next winter on the Columbia river near the mouth of another river emptying into it. From the description given of these waters and the country generally by Mr. Weir to his descendants afterwards, this encampment must have been just above the mouth of what was afterwards named the Willamette river, and it could not have been far from where the city of Portland, Oregon, now stands. On the way out, the party went through the Mandan Indian country in what is now the Dakotas, where they captured a Mandan chief and took him along with them as a hostage, returning him to his people the following year on their way home. On their way out they cached their furs at intervals on the route, and took them up on their way back.

Mr. Weir always predicted that the Pacific Northwest, the wonderfully rich country through which he passed, would some day develop into a splendid commonwealth to be inhabited by a rich and prosperous people. At the time he was here there was not a white person to be found west of the Rocky Mountains and north of Southern California. It was nearly twenty years before the Hudson Bay traders invaded this country, and about a quarter of a century before the American missionaries and settlers came.

Mr. Weir's expedition is mentioned in Bancroft's History of the Pacific Northwest, but otherwise has never been published. His eldest son, John Weir, emigrated from Missouri to Texas in the "thirties," where he lived when it was a republic under President Sam Houston, and from whence he enlisted in the Texas Mounted Volunteers in the war with Mexico, and fought through that conflict under General W. S. Harney, who was then a colonel, and in the command of General Zach. Taylor; afterward, in 1853, crossing the plains from Texas to California with his family, and in 1858 coming from California to Puget Sound, where he

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spent the remaining years of his life, and where his descendants remain. William Weir was a man of great force of character, a noted rifle shot, unlettered and modest, who performed the most heroic duties of frontier life as matters of everyday life without thought of praise or exploitation in history, and he literally knew not the meaning of the word "fear."

ALLEN WEIR.

THE PIONEER DEAD OF 1912*

Miller, Margaret.—Died in Seattle, January 14th, aged 85 years. She came from Maine in 1857, to Washington Territory. She, then Miss McElroy, was soon married to Amasa S. Miller, who had come from Maine to California in 1849 and to Washington in 1853. Their long married life was spent wholly in Port Gamble and Seattle. Mr. Miller died several years ago. Mrs. Miller left six grandchildren.

Miller, Rachel C.—Died in Clarke County, January 26, aged 94 years. She was an Oregon immigrant of 1850. She was born at Jackson, in Virginia. She is survived by five children, all residents of Oregon and Washington.

Wooten, Shadrach.—Born in Florida, died on Cypress Island in January, aged 78 years. He came to Puget Sound in 1851. He left a wife and six children.

Geddis, S. R.—Died at Lebanon, Oregon, Feb. 2d, aged 74 years. He came to Oregon in 1846, served in the Indian war of 1855, settled at Ellensburg, in Kittitas County, in 1869, where he made his home, and where three of his seven surviving children yet live.

Kanavan, Thomas.—Died in Pierce County, Feb. 4th, aged 86 years. He came from Ireland in 1852, locating the following year in or near the present city of Tacoma. He was a volunteer in the Indian war of 1855-56. He left a wife, four sons and four daughters.

Longmire, Virinda.—Died at North Yakima, Feb. 12th, aged 82 years. She came to Washington Territory in 1853, with her husband, James Longmire. They settled at Yelm, in Thurston County. The famous Longmire Springs, on Mount Rainier, were discovered and acquired by Mr. Longmire. Mrs. Longmire left nine children, and it is said 159 other descendants.

Camp, Moholoh Schluesher.—Born in Missouri in 1838; died at Kettle Falls, Washington, Feb. 18th. In 1852 she came to Oregon, where, the next year, she was married to Benjamin Camp. In 1864 they moved to Waitsburg, Walla Walla County. Seven of her eleven children survive her.

Smith, James.—Died at Oakville, Chehalis County, March 12th, aged 88 years. He was born in New York, but came to Washington, around Cape Horn, in 1854. He became an extensive land owner, hav-

*In this article those persons only are considered pioneers who lived in Washington, and who came to the Pacific Coast before 1860. The information given is derived chiefly from the newspapers of the day. In some cases it was meager. No doubt there were other departed pioneers, but of them the biographer had no knowledge. T. W. P.

ing a tract of one thousand acres in Chehalis valley. Upon this tract was built a blockhouse for protection of the settlers during the Indian war, from which circumstance he acquired the name of "Blockhouse Smith." A widow, son and daughter were left.

Stephens, William.—Died at Monroe, Snohomish County, March 13th, aged 68 years. He came to Oregon in 1852, and from there to Washington thirty-five years later, locating at Marysville. A widow and seven children survive him.

Carson, Isaac.—Born in Hendricks County, Indiana, Aug. 1st, 1832; died in Pierce County, Washington, March 14th, aged 80 years. He came to Oregon in 1851. In the Rogue river Indian war he served as a volunteer, for bravery being promoted from the ranks. In 1860 he was married (Sept. 30th) in Danville, Indiana, he and Mrs. Carson immediately coming to the Pacific coast. Settling later in Pierce County, he was elected sheriff, and afterwards was a member of the territorial legislature from Walla Walla, Garfield and Asotin Counties. Mrs. Carson and three married daughters survive him.

Beuston, Adam.—Born in Scotland in 1824; died in Pierec County, March 25th, aged 88 years. As an employee of the Hudson Bay Company, Mr. Beuston came to Puget Sound in 1841, and lived in Washington a longer period than any of the other deceased pioneers of 1912, nearly 71 years. He became a citizen of the United States, and as such took a 320-acre donation claim in Puyallup valley, and later took a preemption claim near Hillhurst. Mr. Beuston was married three times. The town of Beuston, on the Tacoma & Eastern Railway, got its name from him. A son and eight grandchildren were left.

Fryberg, John P.—Died in Seattle, April 12th, aged 77 years. He came to Puget Sound in 1857, and here dwelt the remainder of his life. He left a son and two daughters.

Davis, Henry C.—Born in Indiana, he died near Chehalis, April 21st, aged 66 years. With his parents he came to Washington Territory in 1851, settling at Claquato, in Lewis County, which at that time included all of Puget Sound. A wife and son were left.

Frye, George F.—Born in Germany, Jan. 15th, 1833; died in Seattle, May 2d, aged 79 years. When 16 years of age he came to America, and three years later (1852) traveled overland from Missouri to Oregon. The following year he moved to Seattle, and remained there 59 years, to the end of his days. In 1860 he and Louise Catherine Denny were married, she and four daughters surviving him. Mr. Frye was engaged in various occupations as steamboating, farming, conducting a meat shop, a grocery, hotel, etc. He built several dwellings, and three of the

finest hotel buildings in his home city—the Stevens, the Barker and the Frye.

Boren, Livonia Gertrude.—Born at Abington, Illinois, Dec. 12th, 1850; died in King County, June 4th, aged 61 years. She was the daughter of Carson D. Boren, and, as a child one year of age, was a member of the party of twelve adults and twelve children who were at Alki Point, November 13th, 1851, and who are now commonly regarded as the "Founders of Seattle." Miss Boren lived all her life except the first eleven months in or near Seattle. Her family connections—cousins—were very numerous.

Jarman, William.—Born in England; died at Ferndale, Whatcom County, June 11th, aged 92 years. He came to Puget Sound in 1846 on one of the ships of the Hudson Bay Company, and here spent the remainder of his life.

Smalley, Martha Ann.—Born in Missouri, Nov. 23d, 1835; died at Rocky Point, Washington, June 17th, aged 77 years. In 1849 she crossed the continent with her parents—named Magan—to California. In 1850 she married James A. Smalley, and in 1852 they settled at Portland, Oregon. In 1857 they went back to Missouri, from which they again came west in 1865, finally locating in Washington territory. A husband, son and six married daughters were left.

Littlefield, Maria C. Hastings.—Born in Portland, Oregon, Dec. 28th, 1850; died at Port Townsend, July 1st, aged 62 years. Mrs. Littlefield was the daughter of Loren Brown and Lucinda Bingham Hastings, who came from Vermont first and Illinois later, settling at Portland, where they lived four years, beginning in 1847. In 1851, with the Pettygrove family, they removed to Port Townsend, where the men took land claims, Mrs. Hastings and her young daughter, Maria, being the two first whites of their sex there to place foot. In 1869 Miss Hastings married David M. Littlefield. She was survived by her husband, three daughters and four grandchildren.

Hastings, Oregon Columbus.—Born in Illinois in 1846; died in Victoria, B. C., Aug. 2d, aged 66 years. Mr. H. was a brother of Mrs. Littlefield, and, of course, son of Mr. and Mrs. L. B. Hastings. He was an infant when the parents crossed the plains. With them he came to Port Townsend in 1851. He spent the remainder of his life in that town and Victoria, in the latter city conducting a photograph gallery for many years. The Hastings family is permanently and honorably connected with the history of Puget Sound.

Boren, Carson D.—Born Dec. 12th, 1824, at Nashville, Tennessee; died at his home near Seattle, Aug. 19th, aged 88 years. Mr. Boren

was one of the famous party who crossed the plains in 1851 and settled at Alki Point in November of that year. With one exception (his sister, Mrs. D. T. Denny), he was the last survivor of the twelve adults who there and then began the settlement that has since become the city of Seattle. Mr. Boren spent the last sixty-one years of his life in King County. as a town proprietor, carpenter, farmer and in other vocations incident to a life in a new country. He was the first sheriff, in 1853. His land claim was located in what is now the heart of Seattle, including the Hoge building site, where the Boren home was established sixty years ago.

Carr, Ossian J.—Born in Dryden, N. Y., Oct. 18th, 1832; died at Seattle, Aug. 23d, aged 80 years. Mr. Carr came to Oregon in 1858, where he lived about three years, when he and his family came to Seattle. In the latter place he engaged as a mechanic in the construction of the first university buildings. The following year they went back to Oregon, where they stayed until 1876, when they returned to Seattle. Mr. Carr served nearly three years as assistant postmaster, following by eight years as postmaster of Seattle. He left a wife and daughter.

Whitesell, William Henry.—Born in one of the eastern states in 1841; died at Orting, Sept. 8, he being struck by a Northern Pacific train while walking on the track. He came with his parents, brothers and sisters to Pierce County in 1854, and from that time on his home was in the Puyallup valley. He was unmarried; his nearest relatives left being three brothers and five sisters, all residents of Pierce County.

Hadlock, Samuel.—Born in New Hampshire in 1829; died in the same state, Sept. 18th, aged 83 years. He came to California in 1852, where for a number of years he was engaged in milling, steamboating and somewhat similar lines of trade. In 1868, as one of five partners, he located the first steam sawmill in Tacoma, and he had charge of the construction. Later he acquired a large body of land on Port Townsend Bay, where the town of Hadlock is now. He was a widower, with one son. At the time of his death he was visiting his native state, and was in a sanitarium at Nashua.

Dunbar, Ralph Oregon.—Born in Illinois, April 26th, 1845; died at Olympia, Sept. 19th. He came to Oregon with his parents' family in 1846. They settled in Marion County. There the son remained until 1867, when he came to Olympia. He studied law in the office of Elwood Evans, being admitted to practice in 1869. He went (1871) into the country east of the Cascade mountains. Until 1889 he was editor of a newspaper, practicing attorney, legislator, etc. In that year he was a member of the convention that framed the state constitution, and at the first election was chosen by the people as a member of the new

state supreme court, an honor which was continued to him at subsequent elections during the remainder of his days—twenty-three years. He left a wife and three children.

Carr, Lucie L. Whipple.—Born in Pennsylvania, Dec. 2d, 1832; died in Yakima County, Sept. 26th, aged 80 years. Miss Whipple married Ossian J. Carr in 1856. They were of the same age, had known each other from infancy, and her body was laid in the grave with his five weeks following his interment. She came to Oregon in 1858, to Washington first in 1861, and a second time in 1876. In the summer of 1862 she taught a three-months' term of the Seattle public school in the first territorial university building, hers (following A. S. Mercer's) being the second school there taught. There were then only about twenty-five or thirty children in Seattle's public school, where now are about forty thousand. Mrs. Carr was one of the five sisters who were pioneer women of Oregon, the others being Mrs. Susannah Bagley, Mrs. Jane West, Mrs. Edna A. Colbert and Mrs. Ann E. Mann.

McGowan, Patrick J.—Born March 17th, 1817, in Ireland; died Sept. 29th, in the town of McGowan, Washington, aged 95 years. In 1842 he came to New York, in 1849 to California, and in 1850 to Oregon. After three years in Portland he removed to Washington territory, on the Columbia river near its mouth. He, at an early day, engaged in the salmon fishery, salting and barreling the fish, later erecting several canneries at different points. He had a wife, five sons and two daughters. For sixty-two years he was a business man of prominence and wealth in this state.

Sherwood, S. F.—Born in New York state, Dec. 16th, 1832; died in Kitsap County, Oct. 11th, aged 80 years. He came to San Francisco in 1853, to Fraser river in 1858, and to Washington territory in 1861. He was a soldier in the Mexican war. Fifty years ago he was auditor of Skamania County, but for forty years dwelt in Stevens County.

Barlow, George W.—Born in Michigan in 1842; died at his home in Steilacoom, Oct. 15th, aged 70 years. He came to Washington territory in 1852, where he lived a long term of years and until his removal to Pierce County. He was a steamboat owner and master, not only on the Columbia river, but on Puget Sound. His more recent vessels were the Skagit Chief, Greyhound, Multnomah and others of their time. He left a wife and daughter. Three brothers and a sister also survive him.

Jackson, Samuel.—Born at Plymouth, Massachusetts, Nov. 17th, 1832; died at Seattle, Oct. 16th, aged 80 years. Captain Jackson went to sea as a boy, and in a few years had been pretty well over the globe. In the early 1850s he headed for the Pacific, but was wrecked

on the way. Not long detained, he was soon in the California gold mines, and afterwards in those of British Columbia. In 1859 he came to Puget Sound. From that time on his principal occupation was steamboating, he navigating and managing many of the early day craft. When not employed on steamboats, he was engaged in piledriving, wharf building, shinbuilding, invariably something on or near the water. He left a wife and daughter.

Stockand, Mrs. P. R.—Born in Scotland, June 12th, 1832; died at Port Townsend, Oct. 28th, aged 80 years. She left home in 1859 for Victoria, B. C., by way of Cape Horn, arriving Jan. 14th, 1860. A few weeks later she came over to Port Townsend, where she lived with her family thereafter. She was survived by a husband and six children, all residents of Seattle, Yakima, Bellingham and Port Townsend.

Bozorth, Christopher C.—Born in Missouri, Jan. 1, 1832; died at his home in Cowlitz Coutny, Nov. 5th, aged 81 years. He came with his people to Oregon in 1845, but in 1851 settled in what is now Washington. In 1881 he founded the town of Woodland. During his long residence in that locality he was fourteen years justice of the peace, was assessor of Clarke County, assessor of Cowlitz County, and member of the territorial legislature.

Willson, Eliza Kirkland.—Born in 1848; died in Pierce County, Nov. 10th, aged 64 years. She was the daughter of Mr. and Mrs. Moses Kirkland, who came to King County in 1853, and settled on a farm in White river valley. In the Indian war that prevailed in 1855-56 the Kirkland live stock, crops and improvements were destroyed, his claim for damages on that account amounting to $2,667. Mr. Kirkland enlisted for the war, serving first in the Capt. Hewitt Company of Seattle, and afterward in the Capt. Lander Company. Subsequently the family removed to other parts of the territory. In 1864 Eliza was married to Edward A. Willson, one of the prominent men of Mason County. He came to Oregon in early days, and participated in one of the first Indian troubles there, in which he was so wounded that he never fully recovered. He has long been dead. They had several children.

Schnebley, F. Dorsey.—Born in Maryland in 1832; died at Ellensburg, Nov. 11th, aged 80 years. In 1854 he came by way of Nicaragua to California. After a few years he came north, and for a time made his home in Columbia County, Washington. In 1872 he moved to Kittitas County, then Yakima, where he remained. He was county sheriff four years. Eight years he owned and published the Ellensburg Localizer, a paper that was established by D. J. Schnebley, who for a time

published the Oregon Spectator, the first newspaper on the Pacific Coast. "Uncle Dorse's" relatives are numerous in this state.

Betz, Jacob.—Born in Bavaria; died at Tacoma, Nov. 16th, aged 69 years. He came to America in 1849, to California in 1856, and to Washington territory in 1872. He was councilman and mayor of Walla Walla, prospered in business and was a substantial citizen. In 1904 he removed to Tacoma. A widow, two daughters and two sons survive him.

Sullivan, Michael J.—Born in Massachusetts; died in Skagit County, Nov. 18th, aged 82 years. He came to the Pacific in the rush to the California gold mines, working his way on a steamer. In 1866 he began farming on the Swinomish Flats, near LaConner, where his sagacity and industry were well rewarded. He left a wife.

Barnes, George A.—Born in New York state in 1821; died at Olympia, Nov. 29th, aged 91 years. He came to Oregon overland in 1848, and in 1849 went on to California. The following year he returned to the east, but was soon again headed for the North Pacific Coast. During the sixty years ending with his death he lived in Olympia. He was town trustee, mayor, president of the chamber of commerce, merchant, banker, and in other respects one of the leading citizens. Three times he was married, but had no children and the only near relative he left was a sister.

Bernier, Julien.—Born in Washington territory; died Dec. 1st in Lewis County, aged 67 years. The first Bernier to come to Washington was one of the French Canadians brought here by the Northwest Fur Company in 1811. In 1819 he had a son born at Spokane House, who was the first white child born in Oregon, Washington or British Columbia—Marcel Isadore Bernier. The Bernier family settled in Lewis County about seventy years ago. When Michael T. Simmons and the other first American settlers came along in 1845, Marcel Bernier showed them the way to Puget Sound.

Rader, Solomon.—Died at Medford, Oregon Dec. 2d, aged 85 years. He came to the Pacific by the overland route in 1852. He mined for gold in California and Oregon, fought in two Indian wars, and finally settled in Walla Walla. He left a wife and one son.

Christopher, Thomas.—Born in Norway in 1832; died in King County, Dec. 6th, aged 80 years. He left home at ten years of age, and after nine years at sea went ashore at San Francisco in 1852. He mined in California for several years but came to Steilacoom, Pierce County, in 1858. In 1863 he settled on a land claim in King County, where the town of Christopher now is. He was one of the first (if not the

first) Norwegians in Pierce and King Counties. He left a married daughter.

Burk, Peter.—Born in Ireland; died in Pierce County, Dec. 6th, aged 90 years. He came to the United States about sixty years ago. He enlisted in the army at Fortress Monroe in 1853, and the following year was sent to the Pacific. In 1855-56 he was doing military duty at Forts Vancouver and Steilacoom. He located in the territory at the expiration of his term of enlistment. He lived on the county farm during the last twenty-three years.

Williams, Robert.—Born in Wales, May 13, 1834; died at Vancouver, Washington, Dec. 9th, aged 79 years. He came to America in 1850, and in 1855 came to the Pacific Coast as a private soldier in the Fourth U. S. Infantry. His company, under Capt. Wallen, was sent to Vancouver, from which point Williams was sent with others to Yakima in the Major Rains expedition, to fight the Indians. In 1856 he was in the fight at the Cascades. In 1861 he enlisted again to fight dissension, and served with distinction, becoming a captain by several promotions. In 1877 he located at Vancouver, where he again became connected with the army, serving in the ordnance branch until his retirement in 1896. Capt. Williams married a woman named Turnbull in Scotland in 1860.

Arnold, A. W.—Born in New York in 1830; died at Coupeville, Island County, Dec. 14th, aged 82 years. Mr. Arnold came to Puget Sound in 1857, and during the following fifty-five years lived most of the time on Whidby Island. He left four sons and two daughters.

THOMAS W. PROSCH.

BOOK REVIEWS

THE OREGON SYSTEM; THE STORY OF DIRECT LEGISLATION IN OREGON. By Allen H. Eaton. (Chicago, McClurg, 1912. Pp. 195, $1.00.)

A traveller may never spend his time to better advantage than when he pauses at some vantage point to glance backward over the road he has travelled. It is with similar profit that the student of American government can avail himself of such a survey as Mr. Allen H. Eaton's "Story of Direct Legislation in Oregon."

This timely volume covers the history of the "Oregon System" from the adoption of the initiative and referendum in 1902 to the beginnings of the presidential campaign in 1912. A convenient tabulation is first made of the sixty-four measures passed upon by the voters of Oregon in the elections of 1904, 1906, 1908 and 1910, showing the numbers of votes cast for and against each proposition, the per cent of the total electorate received by each measure and the per cent of the vote cast received by the measures passed. A general survey is then given of the thirty-three measures rejected and of the thirty-one passed with estimates of the wisdom shown by the people in disposing of the various propositions. Special chapters are devoted to several of the more important measures adopted, namely: the primary law, the direct election of United States senators, the recall of public officials, the corrupt practice act and the presidential primary.

The author has studied at first hand the operation of these measures, having been reelected in November last for a fourth consecutive term as state representative from the county in which the State University is located. His attitude is that of the student and his analysis of the results of direct legislation in Oregon is the clearest and fairest that the writer has seen. He has shown an unmistakable preference for the party convention, but he states that the people were justified in demanding the direct primary. He condemns the use that has been made of the recall in Oregon, but shows that certain abuses are not inherent in the principle. The corrupt practice act and the direct election of United States senators are both highly commended. Mr. Eaton's appraisal of the Oregon system will satisfy neither its ardent advocates nor its detractors. It is an excellent summary, however, of results to date and the author's suggested remedies for the evils and defects of direct legislation should be read by progressive even more than by conservative.

Aside from a misprint which makes Mr. Holman's name in the preface read as "Holeman," the book seems to be clear from serious typographical errors. A useful reading list contains seven pages of references to the Oregon system. A debt is not only due to the author for this concise and readable book, but to the publishers, A. C. McClurg & Co., as well, for their enterprise in developing a line of books relating to Western America.

CHARLES W. SMITH.

WHEN THE FORESTS ARE ABLAZE." By Katharine B. Judson. (A. C. McClurg & Co., Chicago, 1912, pages 380; illustrations 6, $1.35.)

This delightful new book by Miss Judson deals with the difficulties and perils of the present day frontier life of the Northwest. The scene is laid in the wilds of the Cascade Mountains of Washington. The theme reveals the perils and the romance of the pioneer and the relations of the lumberman and the United States Forest Service to the developmnt of this section of the country. Disappointed in love an dtired of the life of the teacher, the heroine leaves the schoolroom to take up a claim in a national forest. With this setting the author has developed a thrilling story, interwoven with a strong love feature, depicting the life of the homesteader and the work of the forest service and its fire fighting heroes. Throughout the story the author shows her intimiate knowledge of the life and the conditions of the mountain forests; the trees and shrubs, the wild animals and their habits, the life and the ways of the squatter, the difficult and the pleasing sides of the life of the homesteader, the troubles of the cattle and sheep men, the work of forest ranger, the sportsman and the camper from the city, and the dangers of the forest fire. All of these have been woven into her story to show the ever changing conditions which plunge the human emotions from one extreme into another in this region where primitive wilderness and civilization come in conflict; and they have been combined in her story into situations that are both interesting and instructive. To the layman who is not acquainted with the forest conditions of this region the book offers many practical lessons.

The author is to be especially commended for the excellent presentation, in story form, of the work of the forest ranger. Few of the people of the busy city and the broad farms and ranches realize the importance of the work of these heroes of the forest. With the work that is being done by the United States Forest Service, the ranger is taking his place with the pioneer in opening up the remotest corners of the wilderness to civilization;

but, unlike many of the pioneers of the past, his work is always constructive.

To the uninitiated, Miss Judson's description of the forest fire may seem overdrawn, but there have been many fires that would admit of a far more lurid description. As she shows, the majority of the forest fires are preventable, and it is to be hoped that her book may bear fruit in awakening our congress to the need of an appropriation large enough to prevent them.

HUGO WINKENWERDER.

SOUTH AMERICA: OBSERVATIONS AND IMPRESSIONS. By James Bryce. (New York, The Macmillan Company, 1912. Pp. 611. $2.50 net.)

Mr. Bryce's book on South America, appearing at a time when the eyes of the world, especially those of the commercial world, are turned with increasing interest toward that great continent, is a most timely publication upon a subject too little known.

The British embassador, whose powers of analytical scholarship combined with breadth of vision are so splendidly evidenced in "The American Commonwealth" and "The Holy Roman Empire," has here presented in a more casual way the impressions and observations formed by him during a four months' visit to our sister republics on the South. Seeing his subject from the sympathetic and unbiased viewpoint of the world scholar, Mr. Bryce has made his work interesting and illuminating in the extreme.

The scope of the work includes the aspects of nature, the inhabitants, the economic resources of the several countries, the prospects for the development of industry and commerce, and the relics of prehistoric civilization, the native Indian population, and the conditions of political life in the several republics.

One of the most interesting chapters is the first, which deals with the Isthmus of Panama, and the Canal. Speaking of this undertaking, the author says: "It is the greatest liberty Man has ever taken with Nature." He describes this stupendous engineering project clearly and entertainingly, and highly praises the efficiency of those in charge of the work. To quote: "Never before on our planet have so much scientific knowledge, and so much executive skill been concentrated on a work designed to bring the nations nearer to one another and to serv the interests of all mankind." The marvelous work of sanitation done by our government officials in the Canal Zone is described, and the reader learns with surprise that the Isthmus is now as healthy as any part of the United States, and that no case of yellow fever has occurred since 1905.

Discussing the government of the Zone, Mr. Bryce instances the success of the commission, as an example of the results obtainable by vesting full administrative control in a "benevolent autocracy," composed of men who have nothing to gain by misuse of their powers. "So far as any political moral can be drawn from the case," he writes, "that moral recommends not democratic collectivism, but military autocracy."

The author indulges in speculation as to the influence this new highway will exert over the routes of world commerce, but declares that the results are largely problematical, and that forecasts on the subject would doubtless make curious reading in the year A. D. 2000.

From Panama, Mr. Bryce journeyed down the west coast and up the eastern coast, visiting the chief places of interest between Lima and Rio de Janeiro. Two-thirds of the volume are devoted to a more or less detailed description of the countries visited. The most interesting chapters, however, are the last one, in which are treated the relations of South America to Europe and to the United States, the conditions of political life in Spanish-America, and certain reflections and forecasts as to the future.

There are more contrasts than resemblances between the people of North America and those of South America. The author states that "Teutonic Americans and Spanish Americans have nothing in common except two names, the name American and the name Republican. In essentials they differ as widely as either of them does from any other group of people."

It is pointed out that the Latin-American republics, in their regard for the United States, and confidence in its purposes, "never quite recovered the blow given by the Mexican War and the annexation of California; but this change of sentiment did not affect the patronage and good will extended to them by the United States." On the whole, it would seem that the United States has abused its strength less than the rulers of the smaller states have abused their weakness. The Monroe Doctrine formerly provided a political tie between them, but now the need for it being felt less, the South American states have begun to regard the situation differently. "Since there are no longer rain-clouds coming up from the east, why should a friend, however well-intentioned, insist on holding an umbrella over us? We are quite able to do that for ourselves if necessary."

Owing to his official position, the distinguished author abstained from discussing current political questions concerning the Spanish-American republics, but contented himself with discussing the philosophy underlying their political life. Too much has been expected of them on account of the magic word "Republic." Their history has not reflected credit upon democracy. Physical, racial, economic, and historical conditions have been

against them; the sham democracies which were established in 1825 were unsuited to their needs. With the happy exceptions of Chile and Argentina, they have never been democracies in fact. Their career has been extremely checkered; but the judgment passed upon them should be more lenient. "Their difficulties were greater than any European people had to face, and there is no need to be despondent for their future."

The country has tremendous possibilities of development. The part that her people will play in the great movements of the world "must henceforth be one of growing significance for the Old World, as well as the New."

In adding this book to his list of great works, Mr. Bryce has performed a valuable service to mankind, and especially to the people of the western hemisphere. It will help to develop an intelligent appreciation and sympathy between the United States and her sister republics of South America.

MALCOLM DOUGLAS.

GUIDE TO THE STUDY AND READING OF AMERICAN HISTORY. By Edward Channing, Albert Bushnesll Hart, and Frederick Jackson Turner. (Boston and London, Ginn & Co., 1912. Pp. 650. $2.50.)

This is a work already well and favorably known to every progressive teacher and student of American history. The first edition was prepared by Professors Channing and Hart and was published in 1896. This completely revised edition has received the attention of the original authors and that also of Professor Turner, who recently went to Harvard from the University of Wisconsin. With the accession of Professor Turner, it is perfectly natural to expect the new edition to be strengthened on western phases of American history. That expectation is abundantly sustained.

The Pacific Coast and the section between the Coast and the Mississippi River receives fuller treatment than ever given such sections in a similar work. Not only are publications cited, but the development is recognized in the outline.

In addition to this more generous recognition of the West, the authors have combined their skill to make every portion of the book useful. Furthermore it is brought down to date, including such topics as "conservation" and the political contests of 1910. The last section is entitled: "American Society in the Twentieth Century."

The young teacher in his first school, as well as the veteran of much experience in any part of the country whatever, will find this Guide a helpful book.

EDMOND S. MEANY.

BAPTIST HISTORY OF THE NORTH PACIFIC COAST WITH SPECIAL REFERENCE TO WESTERN WASHINGTON, BRITISH COLUMBIA, AND ALASKA. By Rev. J. C. Baker. (Philadelphia, American Baptist Publication Society, 1912. Pp. 472.)

The author of this book was evidently well equipped for the large task. On the title-page beneath his name is this cross-section view of his career: "Sometime Sunday-school Missionary and Depositary of the American Baptist Publication Society, Superintendent of Missions of the American Baptist Home Mission Society, Agent of Educational Institutions in the Northwest, Editor of the 'Baptist Beacon,' and Pastor." With such an experience, it is not likely the author would overlook any important phase of his subject.

A review of the book was sought from an eminent member of the Baptist Church, but through the stress of the holiday season it has not arrived. The book is too important to remain longer unnoticed, so the editor will himself call attention to its purpose and contents.

Eight of the nine parts carry one hundred and eighty-five chapters. The ninth part is devoted to twenty-three personal sketches. There are seventy-two portraits.

The plan and purpose of the book are shown by the larger subdivisions. "Part I.—Conventions" traces the organizations from the first effort at Tualatin Plains in 1848 down to the thirteenth year of the Northwest Convention in 1900. Part II. deals with the Puget Sound Association from its organization in 1871 to 1888. Part III. gives the record of individual churches in one hundred and twenty-nine chapters. Part IV. has the Baptist history in British Columbia from 1874 to 1900. Part V. is devoted to auxiliary organizations, such as the Baptist Young People's Union and Women's Foreign Mission Society. Part VI. is devoted to education. Part VII. deals with the Publication Society and Part VIII. with the Home Mission Society.

The tenderness of spirit in which the extensive work of research and compilation has been done may be judged from this conclusion of the author's introduction: "All honor to these pioneer men and women, and to their worthy successors, living and acting in the twentieth century!"

CIVICS FOR THE STATE OF WASHINGTON. By George Chandler. (New York, American Book Company, 1912. Pp. 418. $1.00.)

The author has prepared this textbook in the "belief that instruction in civics is the best preparation for fitting the youth for the duties and responsibilities of citizenship." Those who have used his book declare he has justified the belief in which he prepared it.

THE CANADIAN ANNUAL REVIEW OF PUBLIC AFFAIRS, 1911. By J. Castell Hopkins. (Toronto, Annual Review Publishing Co., 1912. Pp. 672+120. $3.50.)

Another volume of this important reference book will be welcomed by a wide class of readers. While primarily for Canadians as a great annual review of Canada, its usefulness in the United States is hardly less. It shows the Canadian reaction on things American. One hundred and forty-one pages are devoted to the subject of reciprocity with the United States. Of especial interest in the Pacific Northwest is the article on British Columbia and the Yukon. The report carries a list of Canadian books published in 1911.

KANSAS HISTORICAL COLLECTIONS, VOLUME XII. (Topeka, State Printing Office, 1912. Pp. 569.)

Our readers will find an interest in the article by George H. Himes, of the Oregon Historical Society, on "Crossing the Plains," occupying pages 261 to 269. The editor of the volume has kept well within the special field of Kansas history, but one other feature making an appeal to the farthest West. That is "The West; Its Place in American History," by John Lee Webster. This occupies pages 25 to 36.

ECOLOGICAL AND ECONOMIC NOTES ON PUGET SOUND KELPS. By George B. Rigg. (Washington, Government Printing Office, 1912.)

Professor Rigg's article appears in the Report of the Secretary of Agriculture on the fertilizer resources of the United States, submitted by Congress by President Taft and published as Senate Document No. 190 in the second session of the Sixty-second Congress. We are concerned with Appendix L of the large report found on pages 179 to 193 and with plates 9 to 18 and maps 1 to 3. People living in the Pacific Northwest will be interested in following this study of a resource heretofore wholly unknown as being of any economic value.

ELEMENTS OF THE KATO LANGUAGE. By Pliny Earle Goddard. (Berkeley, University of California Press, 1912. Pp. 176. $2.00.)

This work is one more in the lengthening list of highly technical works being issued by the University of California on the archæology and ethnology of the Pacific Coast. The book carries forty-five plates, showing the nasal and laryngal vibrations in uttering the sounds of the language when spoken. A survey of the book leaves the impression that certainly here has been attained the limit as to minuteness of accuracy.

MOUNTAINEERS' SONGS. Compiled by The Everett Mountaineers. (Everett, privately published, 1912. Pp. 16. 20 cents.)

The Mountaineers is a well known organization of mountain climbers and nature lovers. The campfires and trails have called forth a number of characteristic songs, the words of which are here collected for the first time. The songs were written by Rev. Francis J. Van Horn, Harry E. Wilson, J. T. Hazard and Dr. H. B. Hinman.

THE MOUNTAINEER, VOLUME V. Edited by Lulie Nettleton. (Seattle, The Mountaineers, 1912. Pp. 107. 50 cents.)

Of this interesting series this is the second Rainier number devoted to Grand Park and Summerland. Besides a number of beautiful plates from photographs by members of the club, the book is packed with valuable information about Washington's greatest mountain and its surroundings. It opens with beautiful salutations from John Muir and Enos A. Mills. Other contributors include William Frederic Badé, Mary Paschall, Charles S. Gleason, E. M. Hack, Dora Keen, François Matthes, J. B. Flett, Trevor Kincaid, R. L. Glisan, Winona Bailey, A. H. Albertosn, Gertrude Streator, O. B. Johnson, Redick H. McKee, H. B. Hinman, Charles M. Farrer, P. M. McGregor, H. A. Fuller, Irving M. Clark, William H. Gorham, G. R. Hurd, Charles Albertson and Edmond S. Meany.

Other Books Received

BIRCH, WALTER DE GRAY. The Royal Charters of the City of Lincoln, Henry II. to William III. (Cambridge, University Press; New York, G. P. Putnam's Sons, 1912. Pp. 308. $3.00 net.)

EARLY, R. H., editor. Lieutenant General Jubal Anderson Early, C. S. A. Autobiographical Sketch and Narrative of the War Between the States. (Philadelphia and London, J. B. Lippincott Company, 1912. Pp. 496. $3.50 net.)

GILES, HERBERT A. China and the Manchus. (Cambridge, University Press; New York, G. P. Putnam's Sons, 1912. Pp. 148. 40 cents net.)

LOVAT-FRASER, J. A. John Stuart Earl of Bute. (Cambridge, University Press; New York, G. P. Putnam's Sons, 1912. Pp. 108. 40 cents net.)

PICKETT, LASALLE CORBELL. Literary Hearthstones of Dixie. (Philadelphia and London, J. B. Lippincott Company, 1912. Pp. 305. $1.50 net.)

SPENCE, LEWIS. The Civilization of Ancient Mexico. (Cambridge, University Press; New York, G. P. Putnam's Sons, 1912. Pp. 121. 40 cents net.)

UPHAM, WARREN, AND DUNLAP, MRS. ROSE BARTEAU, compilers. Collections of Minnesota Historical Society, Volume XIV., Minnesota Biographies, 1655 to 1912 [nine thousand biographies with references to more complete sources]. (St. Paul, Minnesota Historical Society, 1912. Pp. 893.)

WARD, J. S. M. Brasses. (Cambridge, University Press; New York, G. P. Putnam's Sons, 1912. Pp. 159. 40 cents net.)

NEWS DEPARTMENT

Historic Statuary in Seattle

Seattle is adding to art treasures in the form of statuary. The three first statues were obtained during the Alaska-Yukon-Pacific Exposition in 1909. These were the large George Washington, presented to the University of Washington by Rainier Chapter of the Daughters of the American Revolution, the work of Lorado Taft of Chicago; the William H. Seward by Richard E. Brooks of Paris and New York, presented by citizens, through a Chamber of Commerce committee, to the City of Seattle, to commemorate the purchase of Alaska; a large bust of James J. Hill by Finn H. Frolich, then of Seattle, presented by citizens to the University of Washington.

On November 13, 1912, Founders' Day was celebrated by unveiling a statue of Chief Seattle by James Wehn of Seattle. The ceremonies were in charge of the Tillicums of Elttaes and were participated in by many prominent people, including Sir Thomas Lipton, a guest of the city at the time. The actual unveiling was done by Miss Myrtle Loughrey, a great granddaughter of the Indian chief for whom the city of Seattle was named.

Richard E. Brooks is now completing a statue of the late Governor John H. McGraw. It is to be a gift to the city from the friends of the governor. Announcement has also been made by Charles A. Kinnear that the city is to receive a statue of his father, George Kinnear, a pioneer who recently died. This is to be an equestrian statue to show Mr. Kinnear as he appeared in the Civil War. It is to stand near Kinnear Park, which was itself given to the city by the pioneer a quarter of a century ago.

The Curtis Picture Musicale

The Pacific Northwest is justly proud of the wonderful work being done by Edward S. Curtis of Seattle. He has devoted fourteen years to the photographing and studying of the North American Indians. The work is very expensive and is in part aided by J. Pierpont Morgan. When completed, after eight more years of researches, the work will comprise twenty volumes with a like number of large portfolios of photographs. To facilitate the sale of the work Mr. Curtis has developed "A Vanishing Race" or "The Curtis Picture Musicale," a remarkable entertainment, which New York critics likened to grand opera. The music to accompany the moving and dissolving pictures was arranged by Henry F. Gilbert from Indian records secured in the field by Mr. Curtis. On December 6 and 7, 1912, this entertainment was given to splendid audiences in Seattle, and later dates were scheduled for other Pacific Coast cities.

New Edition of the Pickett Book

There are many persons in the Pacific Northwest who know that General George E. Pickett of Gettysburg fame was a young officer on Puget Sound just before the outbreak of the Civil War. His talented and lovable widow still survives, her home being in the national capital. Her fine book entitled "Pickett and His Men" was originally published by a house that met reverses. She now announces that a new and revised edition is about to be issued by the J. B. Lippincott Company. This is good news for readers of this Quarterly, as the book contains valuable chapters on Pickett's experiences in the Northwest.

History Student in Okanogan

William C. Brown, an attorney of Okanogan City, is an earnest student of the early history of the upper Columbia River country. He conducted the centennial celebration of old Fort Okanogan on July 4, 1911, and issued an important pamphlet in connection with that event. He recently spent several busy days examining manuscript records in the University of Washington collections.

History Lost in the Cheney Fire

Readers of this Quarterly will sympathize with a member of the Board of Editors, Ceylon S. Kingston, of the State Normal School at Cheney. He had prepared an article on "Family Budgets of Early Immigrants," covering actual expenditures made in crossing the continent by ox teams. Unfortunately that paper with all the notes, many manuscripts, and most of the professor's private library were destroyed in the recent fire, which burned the main building of that institution.

American Historical Association

The American Historical Association held its twenty-eighth annual meeting in Boston and Cambridge, December 27-31, 1912. The programmes were rich and varied. The Mississippi Valley Historical Association met with the larger organization. This gave a sort of western flavor, as did the participation by Professor H. Morse Stephens of the University of California and Professor Pphraim D. Adams of Stanford University. The president of the association for 1912 was Theodore Roosevelt. His presidential address was entitled: "History as Literature."

The Pacific Coast Branch

The tenth annual meeting of the Pacific Coast Branch of the American Historical Association was held at the University of California, November 29 and 30, 1912. Those who participated in the programmes

were the following: From Stanford University—Professor Arley Barthlow Show, Professor Percy Alvin Martin, Professor Edgar E. Robinson; from the University of California—Professor H. Morse Stephens, Professor Richard F. Scholz; from the State College of Washington, Professor Frank Alfred Golder. The paper by the last named was the only one devoted to the history of the Pacific Coast. It was entitled: "The Background of Alaskan History."

Heretofore the meetings of the branch have been held alternately at Berkeley or Stanford. It is now decided to meet at other centers on the Pacific Coast—Los Angeles for 1913 and possibly the University of Washington for 1914.

Oregon Historical Society

The Oregon Historical Society held its fourteenth annual meeting in Portland on December 21, 1912. The principal address was given by Clarence B. Bagley, a pioneer of 1852, who is Secretary of the Seattle Board of Public Works, and President of the Washington State Historical Society. Mr. Bagley's accumulation of materials on the history of the Pacific Northwest is one of the most extensive in any library, public or private.

Teachers of History

The Northwest Association of Teachers of History, Government and Economics is an organization formed during the last session of the Inland Empire Teachers Association. Efforts are now being made to widen its scope. The present officers are as follows: President, Charles G. Haines, Whitman College; Vice-President, Ceylon S. Kingston, State Normal School, Cheney; Secretary and Treasurer, L. F. Jackson, State College of Washington. Those officers, with C. A. Sprague and W. L. Wallace, constitute the executive committee.

Washington Educational Association

The twenty-sixth annual meeting of the Washington Educational Association is scheduled to be held in Everett, December 26 to 18, 1912. In the published programme there are two references to history: In the Higher and Secondary School Section, Friday, December 27, Miss Elizabeth Rowell, of the Broadway High School, Seattle, will present a paper on "Theory and Practice in History Teaching." The other reference is a statement that the Northwest Association of Teachers of History, Government and Economics may hold a meeting at the same time as the section meetings.

Joint Seminar

The Departments of Law, Political Science, and History in the University of Washington have combined to hold throughout the academic year a joint seminar to consider problems in the three fields as they pertain to the Northwest. The seminar is designed for graduate work. A few qualified seniors are also admitted. Several of the papers prepared for that seminar have appeared in former issues of this Quarterly. In this issue appears another, the study by Leo Jones of the amendments proposed to the constitution of the State of Washington.

NORTHWESTERN HISTORY SYLLABUS

[The aim of this department is to furnish outlines that will aid those who wish to study the subject systematically. It is expected that its greatest use will be as a guide for members of women's clubs, literary societies, and classes in colleges or high schools. It will be a form of university extension without the theses and examinations necessary for the earning of credits toward a degree.]

IV. American Voyages of Discovery

1. First Appearance of the Stars and Stripes, 1788.
   a. The Boston Company.
   b. Captains Kendrick and Gray.
   c. The "Lady Washington" and "Columbia."
   d. Lure of the fur trade.
   e. The famous medal.
   f. Details of the voyage.
   g. Gray transferred to the "Columbia."
   h. His voyage home by way of China.

2. Captain Gray's Second Voyage, 1791-1792.
   a. Winter quarters at Clayoquot.
   b. Building a sloop.
   c. Kendrick on the Coast.
   d. Gray meets Vancouver.
   e. Discovery of Grays Harbor and Columbia River.
   f. Harvest of furs.
   g. Return voyage.
   h. Influence of Gray's discoveries.

3. Captain Joseph Ingraham, 1791-1792.
   a. An officer on Kendrick's first voyage.
   b. Returns in brig "Hope" from Boston.
   c. Successful fur trader.

4. Captain James McGee, 1792.
   a. In ship "Margaret" from Boston.

5. Captain R. D. Coolidge, 1792.
   a. In ship "Grace."
   b. Came from New York by way of China.

6. Tragic Fate of Ship "Boston," 1803.
   a. Her master, John Salter.
   b. Ship owned in Boston.
   c. Captain's inexperience brought on massacre.
   d. Indians destroy ship.
   e. John R. Jewitt and John Thompson survived.
   f. Enslaved by the Indians at Nootka.
   g. Jewitt's famous little book.
7. "Boston Men" and "King George Men."
   a. Many ships from Boston.
   b. Enquiries for crew of "Boston."
   c. Chinook jargon adopted name for Americans.
   d. Also "King George Men" as name for British.
   e. Both names endure among Indians.

BIBLIOGRAPHY.—Nearly every book purporting to deal with the history of the Pacific Coast has something to say about the voyages of Captains John Kendricks and Robert Gray. There are fewer real sources than in the case of the English voyages, but the following references will be found helpful and will lead to other materials if needed.

BANCROFT, HUBERT HOWE. Works of. Vol. XXVII. (Northwest Coast, Vol. I.), pp. 1861192, 204-206, 258-264, and others, for which see index in Vol. XXVIII. Not all editions contain Haswell's journal, but Vol. XXCII., edition 1886, pp. 703-735, gives this valuable document. When consulting the index cited use such words as Gray, Kendrick, Haswell, Ingraham, "Columbia," "Lady Washington," Columbia River, Grays Harbor, Bulfinch, Nootka, Jewitt, "Ship Boston."

BULFINCH, CHARLES. Extracts from the Log-book of the Ship Columbia. Mr. Bulfinch was one of the owners of the "Columbia." Grays Harbor was first named "Bulfinch Harbor" in his honor. Years afterward, in seeking compensation from the government, he submitted this extract. It was published in the Public Documents, Serial No. 351, being a part of Document 101 in that volume. It covers the discoveries by Captain Gray.

GREENHOW, ROBERT. The History of Oregon and California. In the London edition of 1844 the reader will find especial help on pages 178 to 259. The materials will be easily found in any of the editions. The whole book is interesting and has been abundantly cited by later writers.

JEWITT, JOHN R. Narrative of the Adventures and Sufferings of. There are several editions of this little book. It is a fine source book on the tragic fate of the ship "Boston."

MEANY, EDMOND S. History of the State of Washington. Pages 32 to 44 will be found helpful, as will footnote citations.

SCHAFER, JOSEPH. History of the Pacific Northwest. See pages 32 to 42 for brief but reliable information.

WRIGHT, E. W., editor. Lewis and Dryden's Marine History of the Pacific Northwest. The title indicates the special character of this book. It is found in most of the libraries of the Northwest. Chapter I. includes a brief account of the voyages of Captains Kendrick and Gray.

REPRINT DEPARTMENT

George Wilkes: History of Oregon, Geographical, Geological and Political. (New York, Colyer, 1845.)

[The reprint of this rare work was begun in the first number of the Washington Historical Quarterly and has been continued in portions of varying lengths. For the sake of librarians and others who have kept the files, the work is here continued.—*Editor.*]

We soon arrived at the waters of the Portneuf, and from this point reined up our panting steeds to gaze upon the valley of the Saptin which lay at last before us. In an instant every head was uncovered, and a cheer rang back into the gorge to the ears of our companions, which made every team strain and wagon crack with renewed exertion. It is impossible to describe the enthusiasm which this event created in our party. Each wagon as it arrived at the point unfolding to the view the region which had been the object of our dearest hopes and the occasion of our weary travel, set up a cheer, which, taken up by those behind, rang through every sinuosity of the pass and reverberated along the sides of the beetling crags which hemmed it in. Jim Wayne, who was always "about" when anything of moment was afoot, was among the foremost to reach the point of sight, and there, with his bugle which he had burnished and swung around his neck for the occasion, he planted himself, receiving every wagon with "Yankee Doodle," "Hail Columbia," or "The Star Spangled Banner," and only pausing in the tunes, to wave the instrument in the air, in immense sweeps, to the measure of the answering shouts.

This passage was performed on the 29th of August, and on the afternoon of that day we pitched our tents in the valley of the southern arm of the great River of the West. The region we had passed through from the 30th July up to the 29th August, comprised all the passes through the Rocky Mountains, and was by far the most arduous and difficult portion of the whole journey. We performed it, however, without sustaining any loss or injury beyond the bursting of a single tire, and yet averaged while doing it the distance of about twelve miles a day. In many parts of this region we had to move sharply to secure water and range for our cattle, and

the scarcity of game forced us, so far as we were personally concerned, pretty much upon the resources of our private larders. Though consisting to a large extent of beetling rock, arid plains, craggy defiles and frowning gorges, Nature has provided throughout a large portion of this route, a continuous line of valleys, nourished by gentle rivers, whose fertile banks furnish abundant pasture for your cattle, and provide a road from the eastern to the western limits of the Rocky Mountains and through the spurs of the intermediate region, better than many of the wagon routes in some of the eastern states. The greater portion of this country, however, is a sterile, flinty waste, and except in occasional dots, and in the green ribbons that bind the edges of the stream, is worthless for agricultural purposes. One of the features of this section, of singular interest, is the number of soda springs it contains, of a most remarkable character. They are situated mostly on Great Bear river, at the end of the valley leading up to the pass. There you will find them, bubbling, and foaming, and sending up from their clear depths and gravelly bottoms a continual discharge of gas and steam, as though they were sunken cauldrons of boiling water. They are represented to possess highly medicinal qualities, and it is said the Indians set a great reliance upon their virtues for a numerous class of disorders. One of these springs makes a loud bubbling sound, which can be heard at a great distance, and there are others which eject their waters some distance into the air; and others, in addition to these peculiarities, have a temperature above blood heat. To such an extent do these phenomena prevail, that the surface of the river, in the neighborhood of those on the shore, is fretted for several hundred yards with large numbers of them, some of which force their jets many inches above the surface. The scenery about this spot is wild and impressive; but though composed mostly of towering rocks, the faithful bunch of grass still fastens to the vales, and offers its tribute of sustenance and refreshment to the cattle.

On the morning of the 30th, we performed our orisons for the first time in Oregon.

For the first time in many dreary days the beetling crags of the Rocky Mountains ran their frowning barriers in our rear, and a broad unbroken plain spread out before us. Our hearts swelled with gratitude and joy, and with these combined emotions came a mingling of surprise, that the passage through the valley and the shadow of that misrepresented gorge, had proved so slightly formidable in its character. This can only be accounted for by the fact that most of the pioneers upon the route, from need of the experience of others who had gone before, in the direction of their preparations, set out without providing properly against the difficulties and privations

of the route. Neglecting the important item of provisions, they have relied entirely upon their rifles, and their chance for game, and the result has been, that their stomachs, pinched by occasional deprivation, have spread their dissatisfaction to the mind and magnified and discolored every difficulty and trifling inconvenience into a monstrosity of hardship. It may readily be imagined, that a traveller on horseback, who was obliged to fly from rise to set of sun, over a barren patch of desert to obtain range and food, would be anything but flattering in his descriptions of the scene of his sufferings and perils; but a well appointed caravan, carrying water in their vehicles, and driving their provender along with them, would enjoy a greater measure of contentment, and be inclined to treat the account of their wayfaring with a far greater degree of fairness and liberality. I do not hesitate to say, as I said before, that any wagon which could perform the journey from Kentucky to Missouri, can as well undertake the whole of this route, and there need be no dread of difficulties, in the way of natural obstructions, of a more serious character. I would be willing to traverse this road twice over again, if I possessed the means to purchase cattle in the States, and this opinion will appear less strange, when I assure the reader that several of the female emigrants feel in the same way disposed for the pleasures of a second expedition. It is true, there is a good deal of labor to perform on the road; but the weather is so dry, and the air so pure and bland, that one turns to it, as he does to the savory meals of the prairie, with a double alacrity and relish. Besides, many of the cares as well as troubles of a first expedition, would be avoided in the second. Experience would be our pioneer, and the continual apprehension of difficulties of an unknown character ahead, would vanish. We would not be continually harassed, whether we should abandon our horses at the pass, whether we should be out of provisions, or whether the route was practicable for travellers like us, at all! These uncertainties are dispersed forever. Emigrants may come now without fear. They will find a road broken to their use; they know the quantity of provisions they need; they know also the supplies they can gather by their rifles; they know that they will not suffer for want of water, and they have also been made aware that all the property they bring with them, is worth double its value as soon as they arrive. Fuel, it is true, is scarce at some points, but proper care and a little trouble, will provide against any suffering for want of that.

You travel along the banks of streams all the way, and you can almost always reap a harvest of dry willows on the surface of the waters, and where these do not offer, you find an equivalent resource in the sedges on their shores.

CHAPTER VI.

Arrival at Fort Hall—The Three Regions of Oregon—Salmon Falls—The Saptin and the Platte—Fort Boise—Burnt River—The Lone Pine—"Woodman, Spare That Tree"—The Grand Round—Scientific Speculation of Mr. McFarley—A Fall of Snow—An Indian Traffic.

We killed a bullock this morning in a fit of extravagance, and after replenishing ourselves with a most substantial breakfast, set out with renewed energies and brightened prospects. We arrived in the afternoon at Fort Hall, a trading post belonging to the Hudson's Bay Company, on the Snake or Saptin River, and encamped in a fine piece of timber land, under cover of its wooden battlements. We past a most pleasant evening in exchanging civilities with its inmates, who were not a little surprised at this tremendous irruption in their solitude. Some of the members told us that they could scarcely believe their eyes when they saw the immense stretch of our line, the number of our lowing herds and our squads of prancing horsemen, and they inquired laughingly if we had come to conquer Oregon, or devour it out of hand. They treated us, however, with every attention, and answered with the utmost patience and particularity, all our inquiries in relation to the country.

We paused here a day to recruit our cattle, and when we set out in the morning following (1st September), we received a parting salute from one of the guns of the fort, and answered it with a volley from our small arms. Our journey today commenced through a piece of country well timbered, and possessing a soil apparently capable of raising the grains and vegetables of the States. I learned, however, that the climate of this region is subject to frequent frosts, the severity of which are fatal to agricultural operations of any magnitude.

Oregon, or the territory drained by the Columbia, is divided by immense mountain ranges into three distinct regions, the climate and other natural characteristics of which are entirely different from each other. The first region is that lying along the coast of the Pacific and extending in the interior to the line of the Cascade range; the second region lies between the Cascade chain and the Blue mountains, and the third, between the Blue and the Rocky mountains.

The first of these has a warm, dry and regular climate, and it is the abode of continual fertility. The second, or middle region, consists chiefly of plains between ridges of mountains, the soil of which is poor. The timber also is very scarce upon it, and what there is is soft and poor. The climate during the summer is agreeable and salubrious; but the winter brings with it frequent rains. Many of its plains, though generally unfit

for agricultural purposes, are covered continually with an abundant crop of short grass, which renders it a splendid field for raising stock, and for grazing purposes.

The third region is called *the high country*, and is a mere desert, consisting of ridges of rocks of volcanic strata and alternate sandy plains. It has its occasional fertile spots, it is true, but they are few and far between. Its distinguishing features are its excessive dryness, and the extraordinary difference of the temperature between night and day. This extremity amounting sometimes to a variation of 40 or even 50 degrees, is modified somewhat in the approach toward the middle region, but this outside section is doubtless incapable of being reclaimed to any great extent by the hand of man.* We emerged from the patch of vegetation around Fort Hall in a few hours upon wide barren plains of yellow sandy clay, which among its short and dry grass, bore nothing but the wild wormwood and the prickly pear, with here and there some stunted cottonwood or willow.

We crossed the Portneuf at the distance of eleven miles from our starting place, and still kept along the lower bank of the Saptin, the country remaining the same in its character—a desert wilderness except in the partial vegetation on its streams. We found the evenings now getting to be quite cold; the nipping air driving us to our camp fires and directing our attention to extra coverlets; but the morning sun, after getting an hour high, would give us another temperature, and till evening came again, we would have genial summer weather.

We reached the Salmon Falls (or Fishing Falls, as they are called from the great numbers of fish which abound in them) on the 11th, after having passed through a piece of country still the same in its barren and volcanic character, for the distance of one hundred and forty miles from Fort Hall. We here caught an abundance of fine salmon, and after a short enjoyment of the sport, moved onward on our course. Our eagerness, now that we had conquered the Rocky mountains, to get to the limit of our final destination, was extreme.

On the 14th we arrived at Boiling Spring. The country around this spot was wild in the extreme, the same arid, volcanic plain, flowing its sterile billows on before us—a vast lake of barren waste, hemmed in and bound by shores of beetling crags and towering mountains.

We were all the journey up to this point, still on the western bank of the Snake or Saptin river, but we crossed to its eastern shore above these springs, and followed the course of the other side. As this river is of the same importance to the emigrant for his travel in this region, as the Great

*Mr. Wyeth saw the thermometer on the banks of Snake river, in August, 1832, mark eighteen degrees of Fahrenheit at sunrise, and ninety-two degrees at noon of the same day.

Platte is for the Western Prairies, it is deserving of a special notcie. The Platte is a tributary to the Missouri and unrolls its loveliness and vegetation from the States to the base of the Rocky Mountains; while the Saptin takes up the task on the western side of this stupendous barrier and leads the wayfarer in the same manner along its banks, until it yields its waters to the Columbia near Wallawalla.

Another striking feature of similarity is, that the country on either side of the Rocky mountains is a dry and barren desert for the space of two hundred miles. Through these sierras roll the streams of the respective rivers, trellicing the vast and naked wastes with their strips of fruitful green.

The headwaters of the Lewis, Snake or Saptin river, as it is variously called, rise in the mountains between the 42d and 44th degree of latitude. Thence it flows westwardly, passing through a ridge of the Blue mountains, and so on northwestwardly to its junction with the Columbia, receiving in its way the Malade, the Waptitacos, the Salmon River, the Malheur, the Burnt River, Powder River, and others of less significance. Its waters are very clear, and its current is, at some places, extreemly swift. The rapids on it are extensive and frequent, and in consequence, the river is not navigable, except in occasional spots of still water between.

Forty-eight miles more through deserts sprinkled with volcanic rock, and we struck the Boisé river. We had diverged from the bank of the Saptin into a valley stretching northwest, which brought up to the Boisé. We crossed this stream at its junction with the Saptin, and thence followed the eastern bank of the latter for eight or nine miles, until we arrived at Fort Boisé. This was on the morning of the 20th September. For the last twenty miles, the country had changed its character entirely. As soon as we struck the valley of the Boisé, instead of parched and sandy plains, cut rock and frowning crags, our eyes were gladdened with green vales, flowering shrubs and clustering timber lands. The grateful sight was welcomed with a common spring of joy, and our wearied and hunger pinched cattle revelled in the luxuries of its heavy herbage.

On the 22d we left Fort Boisé, and after traveling over an excellent road for fifteen miles, we came to a creek in the latter part of the afternoon. This we crossed without serious difficulty, and encamped upon its western bank. Throughout this day the wind had blown quite cool from the N. W. and we had to suffer also from an impoverished and scanty range and a scarcity of fuel.

On the 23d we started off again with the same cutting wind that had visited us the day before, and which staid with us over night. Our road today was tolerably good, and after having accomplished sixteen miles over it, we brought our day's journey to a close on the bank of a dry creek.

with no water at hand, except what we found in a sort of puddle in its bed. Two miles further on would have taken us to a good encampment, with plenty of fine range and water, but the Indian pilot who had been employed for us by Dr. Whitman was ahead, and out of reach with the foremost wagons.

On the 24th we had to encounter a very hilly road, which retarded our progress most seriously. The hills, however, were not high, neither were they rugged or abrupt, but they were frequent and thence our difficulty. We saw the Saptin today for the last time, for it now left our track in a bold northward curve till it returned to the Columbia near Wallawalla. We were able to make no more than ten miles today, encamping at the close upon another creek called Burnt river. This stream derives its title from the numerous fires which have consumed portions of the timber in its banks. This consists principally of cottonwood and birch, which abound in its valley; and these are also intermixed with aspen and willow. The stream does not deserve the name of a river, being merely an ordinary sized creek, but as others of less importance claim that title in this region, it may as well be accorded to it.

September 25th we started up the line of the Burnt river. The valley of the stream is very narrow, at some points being not more than twenty yards across, and it is hemmed in by mountains on either side. Though it abounds in timber, quite a safe and passable road could be made through it by clearing out the space for a track, but to do this effectually several crossings of the stream would have to be made. This could easily be performed in consequence of its low banks and firm bottom, but we had no time to clear out the way, and of late, the tortuousness of the roads had so scattered and divided our company, that we proceeded helter skelter along in separate detachments, each following, as best it could, the careless lead of those who went before. We were thus betrayed into many difficulties that might have been avoided, if an orderly arrangement had been preserved. Sometimes the turn only of a few yards would have saved us the most obstructive hills and hollows, and I am informed that the course of the river could have been avoided altogether by a turn to the left, which strikes the trail near Powder river, running in an extensive plain, remarkable for a solitary tree in its midst, known as "The Lone Pine." But if this should not be the case,* I would advise future emigrants to select some eight or ten good men to send on ahead, to search for the most eligible route, and, if necessary, to clear one. This will save them much trouble. The range from this spot to the end of the journey is most excellent; the bunch grass

*It is the case.

is plenty in the valleys and in the sides of the hills, and there are plenty of rushes along the banks of this stream. We made but eight miles today.

On the 26th, the road got worse, if anything, than before, and after floundering through hills and hollows for six miles, we struck a hill of most difficult ascent, that required us to double our teams. Yet even this hill, as well as another still more difficult, which we descended, might have been entirely avoided by an advance of two hundred yards farther up the stream, where nature has furnished an easy ascent round the sides of both. This, however, was not discovered until all the wagons had passed. The above hill is the first that we have met in our road, which obliged us to double our teams.

September 27.—We were visited last night by a sharp, keen frost, and when we turned out in the morning we found the shivering chill still lingering among the valleys of the surrounding mountains. This morning we emerged from our troublous passage through the immediate valley of the river, and struck a beautifully undulating valley which fringed with its luxurious productions the border of a lovely plain. In the mixed vegetation which here abounded in rich profusion, we found red hawes and cherries in abundance, and also a description of elder berries, which, unlike ours, that are of an insipid sweet, have a delicious tartness, somewhat similar in flavor to winter grapes before they are touched with the frost. In the course of the day we passed a Kiuse village, and after completing twelve miles over a good road, halted for the night.

September 28th.—Our route today lay through a beautiful valley surrounded on all sides by the overtopping ridges of the Blue Mountains, their huge bases clothed with immense forests of majestic pines, and their stupendous tops gleaming with everlasting snow. Above their dazzling peaks were piled in grand confusion, masses of fleecy clouds, through the irregular breaks of which the clear azure of the vault above showed its softening contrast, and the sharp rays of the sun poured their floods of radiance. But through all the towering terrors of these mountains, our sweet little valley still wound on, offering its velvet verdure and its gentle surface to facilitate our progress. In the afternoon we emerged upon an extensive plain, which I have mentioned before as remarkable for a solitary tree in its center. This noble monarch of the plain is a magnificent pine, rearing its head alone amid the level blank of the prairie, that bears no other object on its surface for miles together, higher than a stunted shrub. As we approached this lonely hermit, I could not resist an impression of sadness, and the idea was forced upon my mind that it had stood there a sapling amid a million of its kind, and that when centuries ago, the mastodon and the behemoth abandoned forever their sombre depths, the forest followed on, leaving this solitary scion of their race behind, to mark the

spot over which they had waved their sheltering foliage since the beginning of the world.

This splendid outcast has long been known to all travellers in this region as "The Lone Pine," and it could not possibly have received a more expressive and appropriate designation. I was about six miles distant from it when it first attracted my attention, and as we progressed I kept regarding it with admiration, at intervals of every few moments. When but a little more than a mile off, I noticed that the leaders of our line were circling round it, and making demonstrations of an encampment. From the surface of the plain my eyes travelled naturally to the summit of the tree, when I was struck with its unusual motion. I thought I saw it tremble. I was seized with a sudden apprehension, but unwilling to yield to it, I rubbed my eyes and looked again. In the next moment my horse was galloping at top speed over the space that separated me from it, while I, regardless of the distance, was waving my arms to those around it, and shouting to them to desist. I was too late; before I had accomplished half the distance, the majestic monarch tottered for a moment from its perpendicular, then sweeping downwards through the air, thundered in ruin upon the plain. I could have wept for vexation, to see this noble landmark, which had braved the assaults of time through a thousand winters, thus fall an inglorious victim to the regardless axe of some backwoods' Vandal. It had been cut by some inconsiderate emigrants for fuel; a necessity that could have been more easily and much better supplied, by a profusion of small dead willows that were strewed about; for the pine was so green that it could not be made to burn at all. We this day accomplished eighteen miles.

September 29th.—We left the plain and its prostrate landmark this morning and in the middle of the day entered another valley, as rich in its fertility as the one of the day before, and like it, it also ran between two immense parallel ranges of snow-topped mountains, the sites of which, a little way below the vegetation line, were covered with thick forests of pine to where their bases were lost in the bottom swells. The range along here was very superior, and the surrounding proofs of general fertility gave evidence of its being admirably adapted to grazing purposes. The soil is most excellent, but the drought at the same time, must often be severe. Most of this beautiful valley might be irrigated from the tributaries of Powder River (itself a tributary of the Saptin), several of which we had to cross in following the course of this wide valley prairie. Twelve miles today.

September 30th.—Travelled nine miles over an excellent road, with the exception of the last half mile, which was rocky and perplexed; but this might have been escaped as we afterwards found, had we turned down an opening to our right, which we had rejected on passing, but which led

through a smooth and easy passage directly to the place where we finally encamped.

October 1st.—We this day came to the "Grand Round," the name of an immense valley, one hundred miles in circumference, which will vie in fertility with the valley of the Missouri, or indeed, with any spot in the world. Trees of all kinds are sprinkled throughout its surface; shrubs, flowers, brooks, singing birds, meadow lark, and other winged game, diversify it, with many other of the attractions of more lavish regions, and its general temperature is guaranteed by the evidences of its prodigal vegetation. The Grand Round is nearly circular in its form and lies embosomed in the Blue Mountains, which here, like their predecessors before described, are covered from bottom to top with lofty pines in studded forests. The bottom of this magic circle is rich, level prairie land, trelliced with crystal springs issuing from its surrounding mountain border, which, with but slight assistance from the art of man, could easily be made to irrigate the whole surface of the valley.

In this region abounds a peculiar vegetable called Kamas root, which has a sweet and pleasant taste, and which is also very nutritious food. It is about the size of a partridge egg, and is cured by being dried upon hot stones. We purchased large quantities of it from the numerous Indians we found in the vicinity.

In this region also may be found one of the most wonderful creations of nature, existent in the world. This is a pond, or well, of boiling salt water, hot enough for cooking purposes, and bottomless in its depths. The steam arising from it may be seen at the distance of several miles, and resembles the vapor arising from a salt furnace. It occasioned no small degree of conjecture among the various savants and philosophers of our party, and not a few were the opinions expressed as to its cause. McFarley, however, gave the most satisfactory account of any, to the inquirers. He represented the meridian of Grand Round to be exactly opposite to Mount Vesuvius, on the other side of the globe; that that tremendous volcano "had been burning long afore Christ, and it stood to reason, as it eat deeper and deeper into the bowels of the earth, it must eventually come out on the other side." He believed this spring to be an indication of its approach to the western surface, and that "the superincumbent weight of water upon the spot was all that kept it for a time from bursting to a vent." He then added his deliberate opinion, that ere long, the area of Grand Round would be the scene of a tremendous eruption and the circle of mountains which hemmed it in, would be the rim of its crater.

This notion created no small alarm among some of our folks, and

a very extensive opinion prevailed that it was better to move on as soon as possible, and give Vesuvius a chance.

I should have mentioned before, that on entering the "Grand Round," we had to descend an abrupt declivity of three or four hundred feet, covered with loose rocks, as large, and, in some cases larger, than a man's head. This was by far the worst hill we had yet descended, but by locking both hind wheels, and with teams so well trained as ours, we all descended in about three hours without hurt or injury to a single soul, and no damage was done to our truck beyond a slight crush of one side of a wagon body.

October 2d.—We ascended a hill, or rather a mountian, at the edge of the "Grand Round," and then descended it in an extensive declivity on the other side, ending at a fine running creek, for which I could find no name, but on the banks of which we encamped. Both of these hills, the one at the entrance and the other at the outlet of the Grand Round, might be better avoided by turning to the left upon the mountain side and passing them altogether. We passed during the later part of this day, through large bodies of heavy pine timber, and I will take this occasion to remark, that the timber of the Blue mountains were the first considerable bodies we had seen since we left the banks of the Kanzas.

October 3d.—We were obliged to ascend and descend three very bad hills, and to pass over eight miles of a very rough and difficult road, a portion of it running through a track heavily timbered with pine. We cut through this a road for the wagons, and it now offers much superior facilities for those who follow.

October 4th.—This day our route stretched through the still continuous pine, but they were more sparely scattered than before, and our progress consequently was more easy. The weather was cold and bleak.

October 5th.—A slight fall of snow this morning brought us to our heaviest clothing, and increased the size of our early campfires. The roads were excellent before us, but in consequence of two bad hills, and the disposition to linger round our fires, we did not make more than eight miles, after completing which we went early to camp.

On the 6th we descended the Blue mountains, by an easy and gradual declination over an excellent road, and encamped on the banks of the Umatilla river near a Kiuse village. This stream, like most of the rivers we had crossed in Oregon, was nothing more than a good sized creek. Its waters were beautifully clear and its banks were studded with an abundance of cottonwood timber. We were now in the second region of Oregon, and from the moment we had descended from the mountains, we felt the difference of the two climates. The one we had left being sharp and severe, and this

being mild and dry, and offering in its abundant grasses superior facilities for stock raising and grazing.

After descending from the region of the pine, we had now come into a country of broad sandy plains, intermixed with a yellowish clay, productive, as I have said before, of abundant herbage, but destitute of timber, except upon the margin of the streams. From this point to the Columbia at Wallawalla, is between forty and fifty miles through continuous plains, varied only with occasional hills of sand. This surface, except in the vallies of the streams, is sandy and sterile, yet in its least favored sections it bears a description of scattering bunch grass, upon which the cattle become very fat.

We found the Indians of this village very friendly, and exceedingly anxious to trade with us. They proved their degree of civilization and advance in the arts of agriculture, by bringing us large quantities of Irish potatoes, peas, corn and kamas root, for which we gave them in exchange clothes, powder, ball and sundry trifles. They raise a large number of horses, by the luxuriant pasturage of the surrounding country, and were continually pressing them upon us for sale, offering two of the finest that we might select for one of our cows. Seduced by the delights and comforts of this place, after the weary wayfaring we had just passed through in the upper region, we determined to remain here a day to recruit, and we accordingly gave ourselves up to a regular frolic, during which the peas, corn and potatoes, with nice spare ribs, fish and steaks to match, vanished from the earth like witchcraft.

Let me remark, for fear that I may overlook it, that while travelling on the Burnt river. and while passing through the Blue mountains, we had much trouble in finding our stock in the morning, as they wandered off in bushes during the night, and often strayed out among the hills after the bunch grass. We found the road along this river, and through these mountains, the worst of the whole route, and indeed, nearly all the bad road we saw at all. Lieutenant Fremont, who came behind us, and who had Mr. Fitzpatrick for a guide, went further down the Grand Round to the right, came out at a different point, and made his way through the Blue mountains by a route, which he states to be more safe and easy by far than the one by which we came. Our route, at any rate, can be so improved with a small amount of labor as to be quite practicable, and even as it was, we came through it with our wagons in perfect safety, without even unloading them at a single point. Many, if not most of the bad hills we had passed, could have been avoided or overcome, with a very little labor.

CHAPTER VII.

Arrival at Doctor Whitman's Mission—Perplexity—Conflicting Counsels —Division Into Squads and Successive Departures—Progress of the Advance Guard to Vancouver—Our Arrival at Fort Wallawalla— Arrangements With Its Commander—Naval Operations—Boat Building—The Grand Rapids—The Falls—The Little Dalles— The Grand Dalles—The Whirlpool—Death in the Rapids—General Characteristics of the Middle Region; Its Indians, Their Habits and Pursuits.

On the 8th October, we moved on and encamped in the afternoon within twenty miles of the Methodist mission establishment, kept by Dr. Whitman, on the banks of a little tributary of the Wallawalla; but not finding the pasturage to our liking, we moved on the next day a few miles further in advance, and finding a prairie offering us all the advantages we sought, the section to which I was attached, determined to make a halt for a few days, to recruit, our weary and way worn cattle. Most of the party had advanced before us and were already at the mission, but we, in consequence of our halt, which continued through a period of five days, did not reach there until the 15th. The mission establishment is situated on the northeast bank of a small stream emptying into the Wallawalla, around which there are two or three hundred acres in good cultivation, and on the other side of the stream was the grist mill, where the Doctor converted his grains into flour. It was in a very dilapidated condition when we saw it, but the Doctor informed us that he had made arrangements to rebuild it, and make it an efficient feature of his little colony.

This settlement has existed here under the care of the doctor and his excellent wife, ever since 1834, and by his persevering industry he has fairly coaxed civilization into the very bosom of the wilderness. The stream on which the mission house is situated is from fifteen to twenty yards in width; its clear cool waters run over a gravelly bed at the rate of five or six miles to the hour, and its banks, on either side, are ornamented with groves of flourishing timber, and flowering shrubbery, that are the usual accompaniments of fertility of soil and geniality of climate. The valley of this stream is about thirty miles in circumference, and is a favorite spot with the Kiuse for raising horses, numbers of which we found galloping about in all their native freedom over its plains.

Upon our arrival, we found the pasturage in the immediate vicinity of the mission much eaten out by these animals; but a few miles further back, towards the mountains, it flourished in unsurpassed profusion. We found at Doctor Whitman's everything to supply our wants, and he fur-

nished us with fine wheat at one dollar per bushel, and potatoes for forty cents. His supply of the first gave out, but he had corn and potatoes in abundance.

While pausing at this place, we were agitated and perplexed in the extreme what course to take in relation to the arrangements we should make for the successful conclusion of our expedition. We were assailed with various opinions from everyone we met, and in the general indecision were for a time brought to a dead stand. Most of the residents of the mission agreed in advising us to leave our cattle and wagons at this point, or if we did take them to the Dalles or narrows (a point on the Columbia, 120 miles in advance) to send them back here to winter. Others told us that we could not reach the Dalles with our teams, as jaded as they were, as we would find no range along the course of the Columbia. All, however, seemed to think that it would be impossible for us to get our wagons, or our cattle, to the Willamette this fall. But we had already overcome too many difficulties to admit the word *impossible* as a part of our vocabulary. We could not remain where we were for a number of reasons. The pasturage in the immediate vicinity was too scanty; the width of range would not allow us to keep our stock together, and we suffered an additional danger of their loss from the dishonest practices of the Indians, who, if they did not steal them outright, led them off, for the purpose of being paid to bring them in. Many of us were obliged to pay a shirt (the price uniformly charged by the Indians for every service) for three or four successive mornings, to get back the same animal, and this was a kind of tribute that if kept up, would make fearful inroads upon our wardrobe. The majority of the emigrants therefore resolved to attempt the threatened dangers to the actual evils that now beset us. Accordingly they set out in squads, on successive days, and before the end of the month, all had reached the Dalles in safety. What surprised them most, after the representations which had been made, was the fine pasturage they met with all along the way, and especially at the Dalles, where, we had been led to believe, the cattle could not subsist at all during the winter. As the parties to which I now allude preceded me, I may as well continue this anticipatory account of the route as far as it concerns their progress. They struck off in a southwesterly direction, leaving the sterility of the river's bank, and instead of perishing for want of range, their cattle even improved all along the way. Some of them left their wagons at the Dalles, and drove their cattle through the Cascade mountains, conveying their baggage and families on pack horses through the mountain paths; and some went down the river by boats. But the greatest portion of them constructed rafts of dead pine timber, a few miles below the Dalles, large enough to carry six or eight wagons, and

upon these floated safely down to the Cascades on the Columbia. Their cattle were driven down the river's bank about thirty miles, then swam across and were driven down the other bank to Vancouver. Here the party obtained boats from Dr. McLaughlin, the Governor of the Hudson's Bay Company's establishments in Oregon, and returned to the Cascades for such of the families, wagons and baggage as had been left behind. This method was found to be, of all, the most successful. By the first of December, all the emigrants had arrived at Vancouver, but the greatest portion of them had reached there as early as the fifteenth of the preceding month.

The large portion of the emigration to which I belonged arrived at Fort Wallawalla on the 16th October. This we found to be a rough parallelogram constructed out of the driftwood drawn from the river during the annual rise of the Columbia, in June and July. It is situated on the northern bank of the Wallawalla, just where it joins the Columbia. We found a Mr. McKinley, a very intelligent Scotchman, in charge of this post, and at his hands received every civility and attention. This gentleman proposed to us a conditional arrangement, subject to the ratification or refusal of Doctor McLaughlin, his superior, at Vancouver, in regard to our cattle. He represented the impossibility of our conveying them to Vancouver, and to save us any loss, offered to take them for himself, and give us an order on the Doctor for an equal number of Spanish cattle of the same age and gender, in the possession of the latter at the before-mentioned station. If Dr. McLaughlin disapproved of the arrangement, Mr. McKinley was to hold our cattle subject to our order, and to receive one dollar per head for their keeping. This was a pretty acute arrangements of his, as we afterwards found, but as it evenutated in nothing but a temporary deprivation of our beasts, we did not have occasion to regard it as a very serious matter. As soon as this arrangement was made, we went to work briskly in building boats from material which we sawed out of the driftwood of the stream, and having all our preparations completed on the 20th, we set out on that day with Indian pilots for our guides.

The Columbia at Wallawalla is a beautiful clear and calm stream, and about as wide as the Ohio at Louisville, Kentucky. We made fifteen miles the first day, and on the morning of the second passed in safety the Grand Rapids, one of the most dangerous points on the river. From this point to the falls, about ten miles above the Dalles, we passed through many severe rapids and narrow passes. At the falls, where the whole Columbia tumbles down a perpendicular ledge of rocks from a height of ten feet, we were obliged to draw our boat from the stream and make a portage of about three-quarters of a mile, and then launch her anew. This was done

with the help of a party of Indians, thirty-five in number, whom we found at the place of our landing, and whom me employed to shoulder our baggage and carry our boat the necessary distance; giving to each of them for the service, five loads of powder and ball, and to their chief, a *shirt* and some tobacco. These fellows appeared to understand their interests very well, and subserved them often with as much acuteness as thorough Yankees. Employ all, or none, was the word, and until we had made a fair business arrangement with the chief, not a lop ear would lend a hand to any of our work. The chief spoke English very well; was a tall, fine looking fellow, dressed in the broadcloth costume of a white man, and wore, upon his feet, instead of moccasins, a pair of very fine shoes. His authority appeared to be absolute, and the moment he gave the word of command everything was performed with the regularity of clock work. Our boat, which was a superior one, that I had procured by especial favor from Mr. McKinley, had now far outstripped all the rest, and indeed, when we left the river for the portage, the remainder of the flotilla had been out of sight for several hours. After our launch, we pursued the stream for four or five miles, when we struck the little Dalles. This is a narrow channel, rushing in whirlpools and dangerous rapids through two precipitous walls of rock. Here we were obliged to again put our families on shore to lighten the boat, and to procure some Indians to take her through the gorge. Below this point, and between it and the Grand Dalles, we encountered some severe and threatening rapids, all of which, however, we safely overcame. The Grand Dalles is a narrow channel cut through the solid rock, over which it used to flow and fall, by the mere force of stream. This channel is about two miles in length, and runs between perpendicular walls of basaltic rock, which fence it in on either side, to the height of four or five hundred feet. When the river is low, it may be navigated with but little danger, but if swollen, it is death to attempt it, and a portage must of necessity be made. We employed some more Indians here, but Isaac Smith, our intrepid waterman, insisted upon acting as the coxswain. It was fortunate for us he did, for when we were about in the middle of the pass, the stroke paddle snapped in two, pitching the Indian who worked it, nearly over the bows, and the boat suddenly twisted around and shot down the stream stern forwards. Smith alone was calm, and seizing a paddle from the redskin nearest to him, shouted in a voice of authority, which danger sanctions in superiority, "Down! down! every soul of you!" Fixing his eye upon a whirlpool ahead, he waited until we reached it, and then adroitly striking his paddle in the water, by a dexterous movement whipped her head into the force of a circling eddy, and checking it instantly on the other side, before she could repeat the motion, our little craft shot life an arrow from the perilous

spot, head on again, into a smoother current. Smith drew a heavy sigh of relief as he handed the paddle back, and sat down in his place without evincing any other sign of satisfaction at the triumphant result of his exploit.

The Columbia river above this point can never be made safe for boats of any size; the navigation being difficult and uncertain, even at low water; and when high, as I said before, it is quite impassable. But the day for our passage, one of Captain Applegate's skiffs upset with three men and three boys. Two of the boys and one of the men were drowned. The former were about ten years old—one of them being the son of Captain Jesse Applegate, and the other of Lindsay Applegate. The man drowned was an old man named McClelland, who steered the skiff.

During our passage from the Wallamette to the Dalles, we saw no timber on the Columbia river, or near it, indeed no bolder vegetation appeared than a few occasional willows near its brink. The Indians are numerous all along its line, and are exceedingly thievish, stealing without hesitation everything they can lay their hands on. The reason of their being so numerous in this quarter is that the Falls and the Dalles are the great fisheries of the Columbia river, where immense numbers of salmon are annually taken by these primitive fishermen.

Before leaving this region, I will remark, that the portion that we saw of it in our passage down the river was of a description that should by no means be taken as an evidence of its general character. Beyond the immediate line of the Columbia, which is a tract of blank, discouraging sterility, stretch numbers of fertile plains, which, though not adapted to the general purposes of agriculture, produce a rich, continual and luxuriant herbage, admirably adapted to grazing purposes, and indeed rendering it second to no region in the world for raising stock. Its surface is almost a thousand feet above the level of the sea, and it is generally a rolling prairie country, with the exception of that portion about a hundred, or a hundred and fifty miles to the north, which is barren and rugged, and much broken with rivers and mountain chains. It is in this section that all the horses are reared for the supply of the Indians and the traders of the interior. "It is not uncommon," says Captain Wyeth, "that one Indian owns hundreds of them. I think this section for producing hides, tallow, and beef superior to any part of North America; for with equal facilities for raising the animals, the weather in the winter when the grass is best, and consequently the best time to fatten the animals, is cold enough to salt meat, which is not the case in Upper California. There is no question that sheep might be raised to any extent in a climate so dry and so sufficiently warm, and where so little snow or rain falls. It is also the healthiest country I have ever been in, which, I suppose, arises from the small quantity of decaying

vegetable matter, and there being no obstruction from timber to the passing winds."

The premium portion of this whole region, I have been informed, is the Nez Percés country, which takes its name from one of the tribes inhabiting it. The region, however, in the vicinity of Mr. Spaulding, an American missionary, who has an establishment on the Saptin, a few miles above its junction with the Columbia, is thought to be the finest of all. He has a fine herd of cattle and a very numerous lot of sheep, and I am informed upon good authority, that his ewes have lambs twice a year. The whole surrounding country is covered with a heavy bunch grass which remains green during the whole winter. This generally dries up during the summer heats of July, but it is then as good as hay, and the slight rains in the fall make it shoot up at once, after which it remains green till the succeeding summer. I saw it in October as green as a wheat field.

While at Wallawalla I saw Ellis, the chief of the Nez Percés. He spoke the English language very well, and I found him to be quite intelligent and well versed in the value and the rights of property. He has a fine farm of thirty acres in good cultivation, a large band of cattle, and upwards of two thousand beautiful horses. Many of the Kiuses have, as Wyeth says, hundreds of these noble animals. They have a great desire to acquire stock, of which they have already a considerable quantity, and yearly go to the Willamette and give two of their finest horses for one cow. In a few years from this time these Indians will have fine farms and large herds of cattle. They have already made great progress in civilization, and evince a strong desire to imitate the whites in everything they do. This is shown in a remarkable degree, by their fondness for our dress, the meanest portion of which, strange to say, they have the strongest passion for. As I said before, they uniformly charge a *shirt* for every service they perform, and to such an extent do they carry their admiration of this graceful article, that I have seen some of them with nothing else on under heaven besides, but a pair of old boots and a worn out hat, parading up and down for hours

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*The following extract from the letter of Nathaniel Wyeth, in the report of the Committee of the House of Representatives on the Oregon Territory, February 16th, 1838, will serve to confirm this description. Wyeth was the enterprising trader who established Fort Hall.

"This country (the middle region), which affords little prospect for the tiller of the soil, is perhaps one of the best for grazing in the world. It has been much underrated by travellers who have only passed by the Columbia, the land along which is a collection of sand and rocks, and almost without vegetation; but a few miles from the Columbia, towards the hills and mountains, the prairies are open wide, covered with a low grass of most nutritious kind, which remains good throughout the year. In September there are slight rains, at which time the grass starts; and in October and November, there is a good coat of green grass, which remains so during summer; and about June it is ripe in the lower plains, and drying without being wet, is made like hay. In this state it remains until the autumn rains again revive it. The herdsman can at all times keep his animals in good grass, by approaching the mountains in summer, on the declivities of which almost any climate may be had."

with the most conceited strut, as if they were conscious of attracting universal admiration.

Grain grows very well in the vicinity of Mr. Sapulding's, as also do potatoes and garden vegetables generally. It also produces fine corn, but for this the soil requires irrigation. Mr. Spaulding last year raised four hundred and ten bushels upon four acres. The ground was measured in the presence of five gentlemen, and its quantity accurately ascertained. It was sown in drills.

CHAPTER VIII.

Arrival at the Dalles Mission—Continuation of Journey Down the River—Scenery of the Columbia—The Cascades—Indian Tradition—Arrival of Vancouver—The Chief Factor—Mr. Douglas—Conduct of the Hudson's Bay Company to Emigrants—Jumping the Rapids—Penalty of Braving the Cascades—Stock Raising—Condition of the Settlement at Vancouver—Prices of Goods in the Territory.

After we had passed the narrow and dangerous channel of the Dalles, we came out into a smooth and calm surface of river, over which our little craft glided with a quiet rapidity. We now for the first time caught a glance at a seal, occassionally popping his head above the level of the stream and as quickly withdrawing it on our approach, and as we progressed we found their numbers increased. This animal abounds in the Columbia from this point to the sea, and it is also found in considerable quantities in the Willamette, below the falls of that river.

A mile's sail from the fret of the Dalles brought us to the Methodist mission establishment under the charge of Messrs. Perkins and Brewer, which is commonly known as the Dalles Mission.

The mission houses stand on a most commanding and eligible site on the southwest side of the river. When you ascend the bank, the sward runs before you in a gentle and regular inclination for about a mile, when it joins a line of hills of moderate altitude, covered with a profusion of pine timber, intermixed with some scattering white oak. Just at the foot of the hill, and on the edge of this timber, stand the mission houses, and between them and the river, are sprinkled numerous Indian huts or lodges, whose rude inmates are the object of the missionaries' philanthropic care. Immediately to the southwest is a fine mill stream, and directly below it a rich bottom prairie, skirted with yellow pines and oak. This plain is about large enough for three fine farms, and can easily be irrigated from the stream I have alluded to. The grazing in the vicinity of this spot extends

in a circumference of twenty or thirty miles, and offers facilities at a very trifling expense, for raising great numbers of sheep, horses, and other cattle, and the mast from the white oak will support numerous droves of hogs.

The Dalles mission is at the head of the practical navigation of the Columbia, and I regard it as one of the most important stations in the whole territory. It is a point which all who go up and down the river must pass, and I have no doubt that in a few years steamboats will be running between it and the Cascades. In addition to the facilities which I have already mentioned, it has a mild and dry climate, about the same as that of Nashville, Tennessee. It is slightly colder than Wallawalla, in consequence of its nearer vicinity to one of the stupendous Titans of the Cascades or President's range, called Mount Washington, about fifty or sixty miles to the southwest. I was at the Dalles on the 23d of November last, and there had up to that time been no visitation of cold weather, nor no fall of rain heavy enough to wet the ground two inches deep. To this place, moreover, from its peculiar situation, and the characteristics of large portions of the adjacent country, both north and south, will all the cattle raised in the second region have to be driven to be slaughtered, and here the inhabitants from above will purchase their general supplies.

The beauty of this situation and the advantages it possessed over any to which I had yet arrived, determined me to leave my folks and effects there for a time, and make a voyage to Vancouver myself, to carry out the provisions of the arrangement I had made with Mr. McKinley at Wallawalla, in relation to our cattle. I accordingly set out on the 5th of November, and continued my route down the river.

The Columbia, between the Dalles and Cascades, is a calm and clear stream, without a rapid in it, and as safe in its navigation as the Ohio. The current is slow, but there is at all times an ample supply of water. The distance between the two points is thirty-six miles. Immediately after leaving the missionary landing, the river, which was about a mile wide, passed for two miles through high walls of perpendicular basaltic rock standing in square columns, sometimes of a foot, and sometimes of two feet in thickness. These rocks, which are the same in character as all that I had seen on the borders of this stream, were perpendicular in their position, except at two points where we found them gently inclining inward towards the river. After we had proceeded some three or four miles from our starting point, the hills gradually ran towards the river's sides. Those on the southern bank are covered with pine and white oak, and those on the northern side bear scarcely anything but scrubby white oak. As we neared the Cascades, the mountains increased greatly

in height, and the pines upon their sides grew larger in their size than those on the introductory hills, and became more thickly studded, until the mountains were covered with them. We frequently passed tall walls of rock many hundred feet in height, that raised their castellated sides on the very brink of the river. In fact, the river is so shut in with these natural bastions, both above and below the Cascades, for twenty miles on either side, that within this whole space, there is no bottom lands at all with the exception of a single spot of fertility three miles below, and occassional scollops, stolen from the mountains, bearing in their semicircles nothing but the hut of some Indian fishermen. On our way down, we passed several rafts carrying the adventurous members of our expedition, their families and their baggage, and arrived there ourselves on the seventh.

The Cascades are made by the Columbia forcing its way through the Cascade or President's range of mountains over an immense field of rocks, which at this point strew its bottom and peep above its surface. This point of the river bears no resemblance to the Dalles at all. Instead of being confined between perpendicular walls of basaltic rock, it is lined on either side by the slopes of towering mountains studded with evergreen pine, and birch and oak. Immediately at the Cascades, the mountains run close in to the shore, but, as if satisfied with the experiment at this point, they start away from both sides to the east, and leave several spaces of high, yet tolerably level land. As we approached the Cascades, the roar of the waters fretting in their uneasy course, gave token of its vicinity, and the increasing current of the river lent to our little vessel an additional speed. The growing foam, and gathering obstructions in the shape of rocks in the bed of the stream, at length warned us to the shore, and we were obliged to give our boat again to the Indians on the bank, and make a portage to escape the danger. The water is here very deep, and the bed of the river is filled with huge detached rocks, with intervening patches of white sand. From the compression of its volume in a trough of three or four hundred yards, and its fall of one hundred and fifty feet in the distance of a mile and a half, the current here sets downward with immense force, and renders the passage dangerous in the extreme.

(To be continued)

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A SURVEY OF ALASKA, 1743-1799

In this paper an attempt will be made to give a brief sketch of the history and conditions of Alaska[1] from the time of its discovery to the organization of the Russian American Company. Berch calls this period the "Chronological History of the Discovery of the Aleutian Islands." "Discovery" is hardly the proper term in this connection, because all these islands had already been discovered by Bering and Chirikof. Their successors merely charted and exploited them. One must also disagree with this writer when he refers to these years as the time of "colonization." Those who went to Alaska in the eigthteenth century did not do so with the intention of making permanent homes there. At present it is gold which attracts the white man, formerly it was the pelt of the sea-otter.[2]

When the Russians came to Kamchatka and the Kuril Islands they found the otter, but they hunted it so hard that after 1750 it was no more seen on the shores of the peninsula. A few were still left on the Kuril Islands, where they were hunted off and on until 1780.[3] With the decrease of the supply the price went up, and this stimulated the hunters

1The word "Alaska" is probably of Aleutian origin and referred to the Alaska Peninsula. Even today when the Aleut of the Shumagin Islands goes to the peninsula he says, "I am going to Alaska." Until the time of Cook the peninsula was represented on the maps as an island by the name of "Aliaska."

2The sea-otter is a very interesting animal. Hunters never tire of comparing it with man in point of view of intelligence. The otter is, in many respects, unlike the other animals about him: it has no special breeding season, and it is more devoted to its young than the seal, probably because the young otter is helpless for a longer period. When full grown an otter measures from three to five feet from tip to tip, and it has a beautiful silky black fur, occasionally silver-tipped, which enhances its value. A good otter skin commands today a large sum of money; it has always been comparatively high priced and much desired by the Chinese. Muller (Sammlung Russicher Geschichte, III., 529) states that about the middle of the eighteenth century sea-otter skins sold in Kamchatka from ten to fifteen rubles, in Jakutsk from thirty to forty rubles, and on the Chinese frontier, at Kiakta, from sixty to eighty rubles.

3The otters of Kamchatka and the Kurils had thicker fur and were more silver-tipped than those of the Aleutians, and were more in demand.

4Scientifically speaking, the Aleutian Islands are those south of the Alaska Peninsula (except Bering and Copper Islands); generally speaking, they include the Aleutian Islands just mentioned, with the addition of the Shumagin group east of the peninsula. From their formation and position one might suppose that at one time all those islands were part of the mainland and become broken up by volcanic action. They stretch out for hundreds of miles, displaying their rocky coast and high snow-covered peaks, with here and there a volcano. Few of these islands have good harbors; most of them are inaccessible to large boats and at times even to small ones. On account of their comparatively mild climate, numerous

to go to newly discovered islands[4] from which the crews of Bering and Chirikof[5] brought hundreds of pelts.

While skin-covered boats called "baidaras" did well enough for hunting the coast of Kamchatka and the Kuril Islands, the hunters realized, from the fate of the vessels of Bering and Chirikof, that strong wooden vessels were needed to go to the far and little known islands. Few of these Siberians understood either the building or the navigating of a ship. Lack of material was another drawback. Iron had to be brought from the interior, and it sold at Okhotsk for a half ruble the pound. But these men were not easily discouraged. Either at Okhotsk, Bolshaja Reka, or Lower Kamchatka timber was cut, and out of this unseasoned material ships were made. Since no iron nails were to be had, or only at a very great expense, wooden pegs were generally used, at least until about 1760, and the frame was "sewed" together with rope or leather. From this last operation the boats received the name of "shitki," sewed. Most shitki were from forty to fifty feet long. When in 1760 a galliot[6] with a sixty-two foot keel was constructed it attracted attention. What was lacking in length was made up in height in order to accommodate a fifty-ton cargo, provisions, and a crew of about fifty men. If the vessel proved too small a few feet in height were added[7]. Another peculiar thing about these crafts was the rudder-blade, which was unusually long—about ten feet. According to the ideas of these navigators the speed of the boat depended in some measure on the size of the rudder-blade, and in order to increase the speed additions were made to the blade.[8] There was but one short mast and, for the sake of economy, the sails were narrow. What speed may one expect from such a structure? In fair weather two or three miles an hour, very seldom as high as five. The seaworthiness of these crafts may be judged from the fact that of all the boats which left the Siberian ports for America about twenty per cent never returned to the home ports,[9] and this does not include boats wrecked and repaired.

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rocks and reefs, and abundance of shell fish, sea-animals, and in particular the sea-otter, resorted here in great numbers. These islands are sometimes spoken of as the "Nearer" and "Farther" Aleutians. The former term applies to the islands near Kamchatka, such as Attu, and the latter to those in the neighborhood of Unalaska Island. The "Fox" Islands are the same as the "Farther" Islands, and they were so named because of the large number of foxes found there at one time. "Adreanofsky" has reference to a group of islands of which Atka is the best known.

[5]Muller (Sammlung Russicher Geschichte, III., 248) says that Bering's crew brought with them from the Bering Island nine hundred otter pelts, Steller's individual share being three hundred.

[6]This is the name the English sailors gave to these boats.

[7]Baranof once told Berch that a hunter once came to him complaining that the company's carpenter refused to add at least three feet to the height of his boat.

[8]Ships on meeting would inquire of each other whether the rudder-blade had been lengthened since leaving port.

[9]The figures here given the writer has worked out from the table at the end of the paper. Kruzenstern, Voyage Autour du Monde (Paris, 1821, Vol I. II.), says that one-third of the boats were lost.

As there were not enough sailors in Kamchatka and Okhotsk to supply the demand, the traders engaged men from the interior of Siberia and entrusted the ships to their care. These men did not understand navigation, they were not even spoken of as sailors, but as "promyshleniki," hunters, especially hunters of sea-animals.[10]

In the matter of food, the hunters lived on the flesh of sea-animals,[11] on salt and fresh fish, such edible roots and berries as the islands offered, and black rye bread. Liquor, and in particular "vodka," was consumed in great quantities when it could be had. "Sour-dough," a famous Alaska drink, had its origin probably about this time. From such diet and unsanitary quarters many suffered from scurvy, some of the boats lost as high as fifty per cent of the crew. But privations and disease were accepted as a matter of course. Add to this, however, sufferings from shipwreck, and you have a picture of almost indescribable misery, as in the case of the

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10It may be of interest to follow one of these expeditions in order to get a clear idea of the system of navigation and the "atmosphere" of the voyage, if such a term is permissible. The "Zosimi and Savatya," a galliot, with a crew of about fifty, made up of Russians and natives, was ready to sail from Okhotsk in 1797. All was ready with the exception that a navigator was wanting, as none of the crew knew how to set a course. The port officials were appealed to and they recommended a man. After being out at sea several days, it became quite evident that the so-called navigator was an ordinary sailor, who knew little else than how to trim sails. Fortunately the weather was fair and Bering Island was reached without accident. On Bering and Copper Islands the crew hunted for three years, and at the end of that time decided to go to the Aleutian Islands. But the question was how to reach there. If they had a start they knew not how to use it; it is quite probable that they were altogether without one. After consultation it was decided to sail northeast, then south; for, said the hunters, the Aleutians form a long chain, and the islands are so close together that by first going northeast and then south we cannot miss them. With fair winds they sailed several days northeasterly and then changed the course to southerly. For two months, September and October, they sailed on without seeing any islands. According to one of the stories which a sailor told Berch, the boat ran into a warm current in October, and in November the heat was almost tropical. The crew became excited and quite at a loss to know what to do. Another ship's council was called to discuss the situation. Some were of the opinion that the Aleutians had been passed; others were of a different mind. While they were deliberating an island covered with fur-seal loomed up, but before they had time to take a good look a fog set in and a storm loomed up. The sailors saw in this island the hand of the Evil One and they determined to flee from it as fast as possible. An image of the Virgin was brought on deck and all prayed that She would take charge of the ship and set the course. In answer to their prayer, a strong wind from the south began to blow and forced the boat to go north, and after sailing on this course for about two weeks Afognak Island came in view. So glad were the sailors to see a familiar spot that they dropped the anchor without ascetraining the depth of the water, and the result was that the boat was carried on the rocks, and was saved only by the cutting of the cables. Fortunately all the crews were not as ignorant; but judging from the stories of the English and French seamen who visited the shores of Kamchatka and Alaska towards the end of the eighteenth century, one is forced to believe that very few of the promyshleniki knew very much about navigation. Accounts of this voyage may be found in

Davidof, Dvukratnoe Puteshestve. V. Ameriku. Vol. I.

Berch, in Sin Otechestva, 1819.

Zapiski Hydrograficheskavo Departamenta, 1850.

Dana, Two Years Before the Mast, describes these Russian sailors as he saw them in California about 1840.

11During the greater part of the eighteenth century Bering Island was used by the hunters as a wintering ground. While one half of the crew hunted for the otter and the fox the other half killed the sea-cow and sea-lion and other marine animals for their meat, which was put up for future consumption.

Capiton, which went to sea in 1757 with a crew of forty or more and returned with thirteen.[12]

Once on the hunting ground the boat was laid up and the men separated into two or more parties, and either went to different parts of the same island or to different islands for the winter. On the selected camping ground an underground hut was constructed out of drift-wood, grass and dirt. The fall was spent in securing provisions for the winter. When the cold set in traps were put out for the foxes, and the otters were clubbed on the rocks or followed to sea.

During the first part of the period the owner of the boat and the hunters shared the profits of the voyage on a basis something like the following. A boat that had a crew of forty-six men, including officers, would agree to divide the catch into forty-six shares: three to the navigator, two to the chief hunter, one to the church or school. Of the remaining forty shares half was claimed by the owner of the boat and the other half was divided among the men by lot. Nearly always two or three shares were set aside to be distributed among the best hunters. At times these men rolled in wealth, but it was also not uncommon to find them at the end of the voyage in debt for their outfits.

It would seem that toward the end of the century, when the trade centered in fewer hands and the supply of labor equaled the demand, the hunters were paid so much a trip or so much a year, making the best bargains they could. Their wages, although high, had to be taken out in trade at exorbitant prices.[13] In this way the companies kept the men in debt all the time.

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[12] "They had not long sailed", says Coxe, "before they were driven back to the shore of Kamchatka by stress of weather, and the vessel stranded; by which accident they lost the rudder and one of the crew. The misfortune prevented them from putting to sea again until the following year, with thirty-nine of the original crew, several persons being left behind on account of sickness. They made directly to Bering Island, where they took up two of Krasilnikof's crew, who had been shipwrecked. They again set sail in August of the same year, and touched at the nearest of the Aleutian Isles, after suffering greatly from storms. They then continued their course to the remoter islands lying between East and Southeast. They anchored off one of the islands and sent a boat ashore which was forced to return, being attacked by the natives. They had no sooner got aboard than a violent gale of wind blowing from the shore broke the cable and drove them out to sea. The weather became suddenly thick and foggy; and under these circumstances the vessel was forced upon a small island and at no great distance from the other, and shipwrecked. The crew got to shore with difficulty, and were able to save nothing but firearms and ammunition. * * * From the 6th of September to the 23rd of April they underwent all the extremities of famine: during that period their best fare was shell fish and roots, and they were even at times reduced to still the cravings of their appetites with the leather which the waves washed ashore from the wreck. Seventeen died of hunger and the rest would soon have followed their companions, if they had not fortunately discovered a dead whale which the sea had cast ashore. They remained upon this island another winter, where they killed 230 sea-otters; and having built a small vessel out of the remains of the wreck, they put to sea in the beginning of the year 1760. They had scarcely reached one of the Aleutian Islands, where Serebranikof's vessel lay at anchor, when they were again shipwrecked and lost all the remaining tackle and furs. Only thirteen of the crew now remained who returned on board the above men-

There existed also the old-fashioned stock companies. In 1790 the George went out hunting, and the "catch" was to be divided as follows:

1 share to the church		2	navigator
1	school at Okhotsk	4⅛	best hunters
3	chief hunter		
	Merchants	**Interested**	
13 shares to	Shelikof	1share to	Pocholkof
6	Jigaref	2	Manchurin
2	Bechtin	2	Koslef
11	Rochzelof	2	Shapkin
1	Kuznezof	1	Lenjoy
3	Protopof	1	Budishzef
1	Sibriakof	37	Lastochkin, owner of the boat.
1	Sharapof		
2	Sizof		

There is no special reason for speaking in detail of all these hunting expeditions, and therefore only those have been selected for this paper which in any way throw light on the period. Bering's crew returned to Kamchatka in 1742, and the year following Emilion Basof, in partnership with a merchant from Moscow, fitted out a small vessel, the Capiton, and set sail for Bering Island. The result of the voyage is unknown, but it must have been profitable, for before his death Basof made three other ventures, in 1745, 1747, and 1749. He hunted principally on Bering and Copper Islands.[14]

Other men followed Basof's example. In 1745, the Evdokia, in charge of Michael Nevodchikof, sailed as far as the Nearer Aleutians.[15] The crew and the natives got into a fight, and several of the latter were killed. On the homeward voyage the boat was wrecked, but no lives were lost.

According to Coxe, Emilion Yugof obtained from the government the exclusive privilege of hunting on Bering and Copper Islands for the price of one-third of his catch. Yugof sailed in 1750 on the St. John with a crew of twenty-seven men, but was forced back by storm and thereby lost a whole year. Yugof died on Bering Island, and the boat on her return was seized by the government because Yugof failed to live up to certain clauses in his contract. Later part of the cargo was restored to his heirs.

Nikifor, a Moscow merchant, built a galliot, the Julian, which he put in the care of the navigator Stephen Golotof with instructions to sail eastwardly to some of the new islands. Golotof entered on his work in 1758, but on account of stormy weather he could go that season no farther than Bering Island. In the summer of 1759 (?) he sailed away once more and after thirty days came to the island of Umnak and later to Unalaska.

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tioned vessel to Kamchatka. (Coxe, W. An Account of the Russian Discoveries, London, 1787, 63-66).

13Billing's Voyage, Chapter XII.

14Basof in 1747 picked up on Copper Island objects made by civilized people. The crew of the St. Nicholas found in 1754 on one of the Aleution Islands, three copper plates with engraving on them. Similar objects were discovered on the Pribilofs.

15Pallas, Neue Nordische Beytrage, 3, 279.

Here he found so many black and other foxes (no blue foxes) that he gave to these places the name of Fox Islands.

Tolstich in command of the Adrean and Natalie left Kamchatka in 1760 for the Aleutian Islands. With him were two Cossacks, Peter Vassutin, and Maxim Lazareef. The boat anchored in the neighborhood of Adach Island, and while here the three men charted, described, and made an estimate of the population of the islands of Kanago, Chetchina, Tagalach, Atka, Amlia, and Adach. In honor of the boat the islands are known as Adreanofsky.

This same year (1760) Bechevin, a wealthy Irkutsk trader, sent out the Gabriel, at the time the largest boat, having a sixty foot keel. Her crew was made up of forty-two Russians and twenty Kamchadels. There was also on board a tribute gatherer by the name of Pizaref. After several stops the vessel reached Umnak and from there came to the Alaska Peninsula, although at the time it was thought to be an island. This voyage is also noteworthy on account of the cruelties committed by the crew on the natives.

Golotof, who was the first to locate Umnak and Unalaska, was sent by several merchants in the Adrean and Natalie to find new hunting grounds. He left Kamchatka in 1762, wintered on Copper Island, proceeded the next summer to Umnak, from there sailed eastward, passing the Shumagin Islands, and finally reached Kodiak Island, where he wintered. During his stay the natives made several ineffectual attempts on his boat.

The seal islands were discovered by Pribilof in 1785. Berch claims that Shelikof's crews had hunted on these islands before this date, when the islands were known as the "Zubof Islands." These, in brief, are all the hunting voyages during this period that deserve special mention. For more details the table at the end of the paper should be consulted.

Fortunately for the Russians the first people with whom they came in contact in America were the Aleuts, a fish-eating, inoffensive, and unwarlike race.[16] The origin of the Aleut, even his name[17] is shrouded in mystery. Of medium height, with dark skin, black wiry hair, and black eyes the Aleut might be called handsome. He differs from the Kolosh to the east of him and the Eskimo to the west of him, and at first glance one is struck by his resemblance to the Japanese. The lower part of the Aleut's body is not so well developed as the upper, due to the cramped position of

[16]The Russians made no headway against the natives of the mainland of Alaska, at least not during this period. They did not venture north of Kodiak Island until they had seen Cook's charts.

[17]The work Aleut is probably of Chukchi origin. In the early eighteenth century the Chukchi referred to the people of America as "Kitschiin Elaet." Fom this it would be easy enough to make Aleut. See Wrangell, Sibera and Polar Sea (London, 1840), 414.

his limbs in the boat. In building and in handling his skin boat, "baidarka," he has no equal, and he is greatly superior to his neighbors in the hunting of sea-animals. Calling him unwarlike is meant in comparison with the meat-eating natives of the mainland and the plains. Among themselves the Aleuts have always warred, and their sworn enemy was the native of Kodiak Islands. The first white men among them were made welcome. It may have been due, as Veniaminof suggests, to their expectation of a white Messiah. But there is no need to look for deep, mysterious reasons. The Aleut is naturally hospitable, and he tried to make the new-comer feel at home. The Russian was on his best behavior because he feared the Aleut, whose kindness was unexpected. The result was that at the beginning the two races were at peace; but the illusion was soon dispelled, and trouble commenced. As a general thing the Aleut is not of a jealous disposition, and in his eagerness to make his guest welcome he went so far as to give up his share of the bed. This was more than than the hunters had anticipated. They went one step farther and made themselves entirely at home, and masters of all the female relatives of the Aleut. The children were kept for ransom and their fathers had to exchange them for otter and fox skins. When it became necessary to go farther east to secure otter skins the Aleuts were forced to go along.[18] Another source of trouble was the tribute. This institution was incomprehensible to the free and independent native and he rebelled against it. All these impositions and insults the Aleut endured for a time and then decided to throw off the yoke by killing the Russians. The attempt as a whole failed; and the punishment which the Russians inflicted has broken the spirit of the Aleut and has made of him a cowardly creature.

In the year 1762, the natives of Umnak and Unalaska agreed to fall on the Russians while they were scattered in hunting parties. During the winter three vessels were destroyed and many hunters were killed and the survivors had thrilling and narrow escapes. Reports of this uprising came to the ears of Ivan Solovief and he determined to teach the natives a lesson which they would long remember. He went about it systematically, and if Davidof's figures are to be believed, he killed as many as three thousand Aleuts. He attacked them openly, and when they fled to cover he blew them up with powder. Many of the murdered were quite innocent. Vaniaminof says that Solovief tied the natives breast to back in order to learn through how many bodies a bullet could penetrate.

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[18]In 1778 a party of natives from the Fox Islands were taken to Kodiak, but so strong was the feud between the natives of these islands that the Kodiak people would not allow the Aleuts to be landed. Hunting parties of Aleuts worked for the Russians on Prince William's Sound, Yakutat, and Sitka. In 1802 a hundred Aleuts were killed by the natives of Sitka, and many others lost their lives in going and coming. (Chronologicheskaja Istorija Otkritija Aleutskich Ostrovof, St. Petersburg, 1823, 149-50.

There were many other cases of cruelty, and the cries of the natives reached the ears of Catherine II., who ordered an investigation; but very little was done. The Empress was sincerely grieved at the condition of affairs. In a letter to the Siberian governor she asks him to use his influence with the hunters to secure for the islanders more merciful treatment.[19]

For reasons, chiefly financial, the Russian government encouraged these hunting expeditions. When Basof's voyage became known in the capital, the Senate requested the Admiralty College to draw up charts of the new regions from the best sources, principally after the journals of Bering, Chirikof, and Basof. Later Synd, Krenitzin and Lavashef, and Billings were commissioned to go into the Alaskan waters and to chart the new possessions.[20]

Medals and presents in money were now and then given as an encouragement. Talstich, Vassautin and Lazarief were rewarded for their full and detailed report of the Adreanof Islands.[21]

Of the various sources of revenue, the smallest and least satisfactory was the tribute.[22] The tribute gatherer made trouble and the traders were

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19Berch, C. I. O. A. O., 57. The term of "Russian cruelty" does not altogether explain these inhuman acts. The causes are deeper. These crimes should not be laid at the door of the Russian people as a whole, but to this particular class of Russians, who were influenced by their occupation, lack of home influences, and gloomy climate. Those who have spent winters in the Arctic regions know how quickly the white man, no matter what his race, degenerates and is brutalized, under the conditions just given. The occupation of the hunter, the shedding of blood, has a tendency to cheapen life, even human life, in his sight. All these acts of bestiality charged to the Russian hunters were, as a rule, perpetrated in the winter when there is little to do, the stomach full, the sun out of sight, and the mind filled with no other thoughts than those furnished by one's abnormal passions. It is also worth noting that these Siberians had several generations of this kind of life behind them.

20The hunters were hedged in with regulations. Before they could sail they had to secure permission from the officers of the port. All boats were required to make Okhotsk on the return from the islands; but if the season was far advanced they were forbidden to navigate in the Okhotsh Sea, which had a bad reputation, and were forced to pass the winter in Kamchatka.

21In 1761 the Julian returned from the Fox Islands with a cargo of beautiful fox skins, and a number of them were sent to the Empress. She in return, in 1764, presented gold medals to the six merchants (Orechof, Snigiref, Kulkof, Shapkin, Panof, and Nikifirof) interested in the voyage, freed them from certain civil and military duties and from the payment of six thousand rubles they owed the government, and at the same time requested that some one acquainted with the islands and conditions there be sent to her at public expense. A merchant by the name of Shilof was ordered to go. On his arrival the Empress asked him to draw up a chart of the islands which she sent to the Admiralty College, and by way of reward she requested the Senate to bestow medals on Shilof and his partners and to grant them the same privileges that the six merchants just mentioned enjoyed. Three or four years later Shilof and his partners (Lapin and Orechof) presented the Empress one hundred and twenty very fine black fox skins. Shilof, who brought them in person, was received by the Empress and thanked, and his company was excused from paying nine thousand rubles. In 1779 the same company gave her Majesty three hundred black fox skins. This time Lapin and Orechof carried them. They, too, were presented to the Empress, were shown about the palace and breakfasted, and before leaving were notified that the twenty-one thousand five hundred rubles which the government had charged to their account had been wiped off the books. Twelve other merchants were given medals at the same time (Berch in his C. I. gives the details).

22Tribute gatherers were sent out for the first time in 1746.

unwilling to take them along. Berch says that the Empress abolished that tax in 1779 when she heard of the hardships of the natives; but it seems that it was collected just the same, because Billings speaks of meeting tribute gatherers at Kodiak in 1790.

Towards the support of the Okhotsk port the government demanded one-tenth of all the furs landed. The greatest amount of money came, however, from the export and import duties. All the furs from the newly discovered islands found their way sooner or later to Okhotsk. From here they were sent on horses, by way of Jakutsk and Irkutsk—a distance of two thousand five hundred and fifty-five miles—to Kiakta, a small town on the Russo-Chinese frontier. According to the treaty of 1728, this town was designated by the two powers as one of the places where the merchants of the two empires might trade. Less than a quarter of a mile from Kiakta was the Chinese town of Maimatschin, where the Chinese merchants dwelt. February was the principal month of trade, and it was important that one should be there on time.[23] Pallas gives the price of furs at Kiakta during the years 1770, 1771 and 1772, taken from the official reports. The writer has been unable to find a complete list of the prices of furs in Kamchatka for the same time, but gives such as he found.[24]

Prices in Kiakta				Prices in Kamchatka
Black foxes, up to	100 rubles			
Red	3.50			1.20
Cross	6.			2.50
Blue	2.			
White	2.			
Black, silver-tipped, up to	180.			
Sea-otter	90.	to	40.	
Sea-otter, tails,	2.	to	40.	1st quality 60.
Sea-otter, young,	30.	to	7.	2nd quality 40.
Fur-seal	1.50	to	6.	3rd quality 25.

Taking these figures as the average annual price, it is possible to compute the revenue of the government from the Alaska fur trade.

Duties paid at Kiakta on the export of the fur	23%
For deepening the river	1%
Towards the support of the custom-house	7%
Total	31%

[23]Since the traders of the two nations could not either of them speak the others language, they had recourse to a common tongue, the Mongol. As the Russians were forbidden to export coin and the Chinese had nothing but silver bullion to offer, which the Russians refused because of its depreciation, it resulted that the whole trade was carried on by means of barter. This permitted the Russian government to levy both an export and an import duty. A trade was consummated in the following manner. The Chinaman came over to Kiakta, examined the furs he needed, and over a cup of tea the buyer and seller agreed on the price of the purchase. When this point had been settled, the two merchants walked over to Maimatschin, where the Russian picked out his goods,—cloth, silk, tea, tobacco, beads, etc. Leaving some one in charge of the goods, so that the Chinaman would not exchange them for an inferior quality, the Russian went to fetch the bundle of fur which the Chinaman had selected and sealed before leaving Kiakta.

[24]For an interesting account of the trade consult Pallas' Voyage, Vol. I., Chapter XII. The Kamchatka prices are taken from Berch's C. I. O. A. O. 84.

In 1770 there was taken out from the Aleutian Islands

463,331 rubles worth of fur, valued at Kamchatka,
46,333 rubles, or one-tenth, duty paid at Okhotsk,
416,998, value of furs when they left Okhotsk,
833,996, value of furs at Kiakta (double Kamchatka prices), and 31% of this equals 258,339 rubles.

In addition to the revenue from the exports, the government raised also a large sum of money from the imports which the Russian traders got from the Chinaman in exchange for fur.

A question naturally suggests itself: Was the trade a profitable one from the point of view of the Russian merchant? Shelikof started at the bottom, and when he died he was regarded as wealthy, this was also true of Lebedef Lastachkin and, no doubt, others. On the other hand, Trapeznikof, who was active in the business at the beginning, dropped out about the middle of the sixties, principally because about that time he lost several boats. Before the furs were disposed of at Kiakta much money was needed in order to provide for the outfit, wages, transportation, commission, custom duties, and, with many, interest on their working capital. Of the invoice the government alone received forty per cent, thirty per cent of the balance probably defrayed the other expenses, this left a profit of about thirty per cent. If there were no shipwrecks, and the cargoes were large there was money to be gained. Chance played an unusually important part in this trade. It is not clear whether the merchants disposed of their importations directly or indirectly, but in either case there must have been a profit.

On Bering Island where the crew of the wrecked St. Peter wintered in 1741-2 there were hundreds, if not thousands of otters, and on the other islands condition were about the same. The blue foxes were in equally great abundance. Steller complains that the stay of the men on the island was made very unpleasant by these animals. They could neither be scared, killed, nor driven off; but remained near camp night and day stealing what they could eat and destroying the things they could not eat.[25] But the numerous hunting parties killed off thousands of otters and drove the others eastward. They were pursued from one island to another, along the mainland, and at the end of the century hunting crews of Russians were found in Cook's Inlet, Prince William's Sound, Yakutat, Sitka, and a little later (1810) in California. After Cook's voyage to the North Pacific, trading vessels from England, Flanders, France, the United States, California, appeared in these waters and departed for China with cargoes of fur. Leaving out of account the traders from the countries just mentioned, one finds that the Russians alone from 1743 to 1799 took out of Alaska one hundred eighty-six thousand seven hundred fifty-four (186,754) otter skins, an average of three thousand three hundred thirty-nine (3,339) skins a year. It would not be at all surprising to know that many pelts were never recorded on the books of the custom house.

[25]Steller, in Pallas' Neye Nordische Beytrage V. 236.

The migration of the otter eastward affected the hunters in several ways. In the first place it took a longer time to make the voyage; where at the beginning one or two years were sufficient, towards the end of the century five to seven years were required. Secondly, more capital was needed for the costly and distant expeditions. A merchant with a small capital could not stand the strain, and he either went out of business or combined with others in the same situation as himself. By 1795 there were practically but three companies doing business in Alaska. Lebedef's company, which had posts along the mainland and Prince William's Sound; Kiselef's company, interested chiefly in the Aleutian Islands; and Shelikof's company, on Kodiak Island.[26]

It was to be foreseen that these companies, hunting so close to each other and selling in the same market, would sooner or later unite to avoid costly competition, unnecessary expense in administration, and conflicts between hunting crews. In 1798 such a combination was organized, and a year later it received a charter authorizing it to do business under the name of the Russian American Company.

In conclusion it should be said that the aim of this paper has not been so much to make a learned study of the period, as to bring out in a brief and clear way the characteristic features, the points of interest and historic importance. Any one desiring more information may work it out from the table here given. Black, red, and cross-foxes were not found on the Nearer, Adreanofsky, and Rat Islands, nor were blue foxes seen on the Farther Aleutians. Fur seals were found on nearly all the Aleutian Islands. The chronological table of the voyage together with the invoice of the cargo as given indicate at a glance just where the hunting season was passed. Other voyages than those of the Russians have been merely mentioned and not discussed, since it is a topic that deserves special attention.

FRANK. A. GOLDER.

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[26]More is known of the last mentioned company since it is the nucleus of the Russian American Company. Shelikof's company was organized by Gregory Shelikof, a Rilsk merchant. From glimpses here and there the impression is left that he was a man of large ideas, that he had a hand and was leader in every scheme which promised large profits, and that he did much business with a little capital. On humanitarian principles his treatment of the natives was not always based. Sauer relates that during his stay in Alaska (in the time of Shelikof) he heard "very unfavorable accounts of Gregory Shelikof." The official name of the company was the "Shelikof-Golokof Company." It was organized in 1781 with a capital of sixty-six thousand five hundred rubles (66,500), subscribed by I. Golikof thirty thousand (30,000), M. Golikof twenty thousand (20,000), G. Shelikof fifteen thousand (15,000), and Yudin fifteen hundred (1,500). Shelikof was the leader of the organization, and it was generally known as "Shelikof's Company." About the first thing Shelikof did on arriving in Kodiak was to surprise "their women collecting berries, carried them prisoners to his habitation, and kept them as hostages for the peaceful behavior of the men, only returning wives for daughters, and the youngest children of the chiefs." In 1790 about two hundred daughters of the chiefs were kept as hostages. Twelve hundred of the men were sent out to hunt, and others were engaged in various occupations for the company. For a good sea otter skin the native received a "string of beads four feet long; for other furs in proportion." (For a good account of the workings of the company read Billing's Voyage, Chapter XII.)

Names of Navigators, Owners and Boats, 1743-1799

Year Boat Ret'd	Name of Boat	Name of Navigator	Names of Owners	Tribute Otters	Tribute Foxes	Invoice of Cargo: Otters	Otters Tails	Fur Seal	Whale bone	Land Otters	Foxes Silver	Foxes Cross	Foxes Red	Walrus Blue	Walrus	Value of Cargo in Rubles
1745	Kapiton	E. Basof	Basof & Serebrenikof	.....	.....	1,670	1,780	1,990	...	.....	.....	.....	.....	2,240	...	112,220
1746	Kapiton	E. Basof	Basof & N. Trapesnikof	.....	.....	320	.....	.....	...	.....	.....	.....	.....	.....	...	19,200
1747	Evdokia	M. Nevochikof	Chebaifskol & Trapesnikof	.....	.....	352	321	.....	...	.....	.....	.....	.....	1,481	...	23,024
1748	St. John	A. Tolstich	Trapesnikof, Balin & Jukof	.....	.....	58	58	.....	...	.....	.....	.....	.....	650	...	4,780
1749	Perkup & Sandt	Bachof	Jilkin & Novikof													
1749	.....		Vsevidof	.....	.....	1,040	860	.....	...	.....	.....	.....	.....	2,110	...	52,590
1749	John		Ribinskoi & Tirin	.....	.....	522	63	300	...	.....	.....	.....	.....	1,080	...	39,376
1750	Peter	Basof	Basov & Trapesnikof	.....	.....	820	700	7,010	...	.....	.....	.....	.....	1,900	...	61,520
1752	St Simeon & Anna	Borobief	Ribinskoi & Tirin	.....	....	790	755	2,222	...	.....	.....	.....	.....	.....	...	105,730
1753	Boris & Gleb	M. Nevodchi	Trapesnikof	15	.....	1,520	1,590	.....	...	.....	.....	.....	.....	7,044	...	65,429
1754	John	....kof	E. Yugof	.....	.....	1,600	.....	.....	...	.....	.....	.....	.....	.....	17	80,000
1755	.....		F. Chobodilof	.....	.....	6	.....	250	...	.....	.....	.....	.....	1,222	...	3,474
1755	Boris & Gleb	A. Drujinin	Trapesnikof	.....	.....	1,260	680	.....	140	.....	.....	.....	.....	.....	...	65,000
1755	Jeremiah		Ribinskoi & Tirin	49	.....	1,644	1,370	.....	...	.....	.....	.....	.....	82	...	95,000
1755	John	A. Tolstich	Trapesnikof & Balin	.....	.....	3,117	2,800	10	11	.....	.....	.....	.....	.....	...	189,268
1755	St. Nicholas	Durnef	Trapesnikof	122	.....	4,573	2,700	.....	...	.....	.....	.....	.....	.....	...	354,900
1757	Fish		Trapesnikof	.....	.....	169	.....	.....	...	.....	.....	.....	.....	2,149	...	14,438
1757			Krasilnikof	5	.....	1,819	1,710	840	...	.....	.....	.....	.....	720	...	109,355
1758	John		Balin, Jukof & Trapesnikof	.....	.....	990	540	.....	...	.....	.....	.....	.....	.....	...	50,355
1758	Peter & Paul		Ribinskoi & Tirin	.....	.....	292	240	.....	...	.....	.....	.....	.....	.....	...	17,330
1759	Capiton	Studenzof	Jilkin	92	.....	5,300	3,710	.....	...	.....	.....	.....	.....	1,813	...	317,541
1759	Adrean & Natalia	Tolstich	Trapesnikof, Balin & Jukof	42	.....	2,444	1,870	.....	...	.....	.....	.....	.....	.....	...	150,277
1761	Peter & Paul	Serebrinikof	Ribinskoi & Tirin	.....	.....	1,750	.....	.....	...	.....	.....	.....	.....	530	...	101,430
1762	Zacharias & Elizabeth	Cherepanof	Posnikof, Krasilnikof & Kulof	11	26	1,465	280	.....	...	.....	1,002	1,100	400	58	22	130,450
1762	Julian	S. Golotof	Nikiforof	.....	.....	928	965	.....	...	.....	.....	.....	.....	.....	...	58,170
1762	Nicholas		Trapesnikof	.....	2	914	390	1	...	18	20	39	349	40	23	52,570
1762	Gabriel		Bechevin													
1762	Adrian		Chebaivskof	.....	.....	1,485	827	.....	...	.....	.....	.....	.....	.....	...	78,304
1763	Vladimir	Palkof	Kraselnikof & Trapesnikof	91	.....	1,766	510	.....	...	.....	.....	.....	.....	109	...	104,218
1763			Chebaivskof & Trapesnikof	.....	.....	301	153	.....	...	.....	.....	.....	.....	10	...	17,040
1763	Peter & Paul		Ribinskoi & Tirin	.....	.....	567	279	.....	...	.....	.....	.....	.....	67	...	31,817
1763			Popof	.....	.....	.....	.....	.....	...	.....	.....	.....	.....	.....	...	68,000
1766	Adrean & Natalia	Bootof	Chebaivskoi,V&I.Popof&S.Lapin	.....	35	340	70	.....	...	.....	569	513	170	.....	...	42,280
1766	Peter & Paul	Delarof	Gregoroi & P. Popof	.....	.....	143	9	.....	...	.....	61	130	7	.....	...	10,524
1766	Nicholas		Trapesnikof	100	.....	3,036	2,220	.....	...	.....	.....	.....	.....	582	...	120,000
1764	Adrean & Natalia	Tolstich	A. Tolstich	8	39	1,867	395	.....	...	70	393	561	420	68	1	132,806
17..			V. Popof	.....	.....	383	338	3,370	...	.....	70	393	56	1,733	8	32,574
1768	Peter & Paul		Trapesnikof	40	94	1,272	678	.....	...	.....	681	802	425	1,054	...	98,740
1768	John Ustuiski		Panof	84	.....	1,440	896	1,845	60	.....	.....	.....	.....	1,045	...	83,387
1769	Vladimir	Sapojnikof	S. Krasilnikof	23	78	600	60	.....	...	.....	960	1,018	10	.....	...	68,520
1770	Paul	A. Ocherion	Orechof, Lapin & Shilof	154	.....	5,128	3,991	.....	1	.....	.....	.....	.....	1,093	...	284,868
1770	Peter & Paul	Delarof	Panof								996	1,419	593	38	2	109,943
1770	Adrean		Peloponesof & V. Popof	14	150	1,107	151	.....	...	.....	1,102	1,427	600	38	1	111,889
1772	John Ustuijski		Popof	14	47	1,107	151	.....	...	.....						

1772	St. John the Baptist		Peloponesov & Popof	.....	.....	57	57	6,330	...	.....	.....	.....	.....	1,280	...	18,747
1772	Baidara		Novikof	4	8	251	200	20	...	.....	.....	20	.....	.....	...	15,000
1773	Nicholas	I. Solovief	Orechof, Sasipkin & Muchin	279	.....	2,451	1,348	.....	...	.....	.....	.....	.....	1,127	...	140,670
1773	Procopius		Protodyakunof&Okonnishinkaf	.....	.....	250	230	.....	...	.....	.....	20	50	.....	...	20,130
1774	Baidara		Novikof	.....	.....	20	20	.....	...	.....	.....	.....	.....	.....	...	1,660
1774	St.AlexanderNevski		Serebrinikof	134	.....	2,440	2,320	.....	...	.....	.....	.....	.....	1,130	...	136,050
1775	Paul	I. Solovief	Shilof, Lapin & Orechof	89	168	1,904	228	.....	...	86	1,493	2,115	1,278	.....	19*	137,445
1777	Michael	D. Polutof	Cholodilof	94	72	3,627	482	1,430	...	.....	431	1	198	901	...	166,056
1777	Nicholas	Petushkof	Lebedief & Shelikof	.....	.....	230	140	190	...	.....	60	30	.....	240	...	15,600
1778	Nicholas		Protodyakonof &Okonnishnikof	.....	.....	134	134	.....	...	.....	.....	.....	137	.....	...	6,922
1778	Procopius		Protodyakonof &Okonnishnikof	.....	.....	310	.....	39,500	...	.....	.....	.....	.....	990	...	98,840
1779	Vladimir	P. Zaikof	Shilof, Lapin & Orechof	260	96	4,421	2,874	1,725	18*	92	549	1,090	1,204	1,104	9¼	300,416
1779	Evpe		Thedora Burenin	.....	.....	961	690	540	...	63	252	378	630	1,108	...	52,250
1779	Alexander Nevski	Delarof	Panof (from Thumen)	.....	.....	936	936	33,840	...	.....	.....	.....	.....	1,584	...	74,240
1780	Paul	T. Saposnikof	Shelikof & Ailn													
1781	Paul	Izmailof	Shilof, Lapin & Orechof	85	275	2,726	1,340	11,910	...	.....	577	976	821	327	11	172,020
1781	Bartholemy & Barnabas	M. Cherepanof	Shelikof, Savelief & the Panofs	.....	.....	491	400	11,500	...	.....	.....	.....	.....	1,600	...	57,860
1781	Zosimi & Savatia		Protassof	.....	.....	483	396	8,160	...	1	.....	.....	.....	1,116	...	49,215
1782	Natalia	Bocharof	Shelikof & Lebedef	.....	.....	270	230	.....	...	.....	45	70	.....	195	...	100,950
1784	Andrei	Petushkof	Shelikof & Golikof	18	.....	965	826	4,715	...	.....	.....	.....	.....	609	...	133,450
1785	Nicholas	Paikof	(The) Panofs	448	379	2,073	1,485	.....	...	230	395	729	1,930	.....	...	127,834
1785	Clement	Polutof	Panofs	89	48	1,129	750	61	...	427	612	743	445	.....	...	89,160
1785	John the Baptist	Shirokoi	Panofs	137	.....	940	729	440	...	.....	.....	.....	.....	727	...	63,417
1785	Evpe	G. Korelin	Shelikof & Golikof	.....	.....	1,130	771	394	...	3	196	395	1,309	1,134	6	71,746
1786	John Rilski	Tutrin	Shelikof	.....	.....	900	645	18,500	...	.....	.....	.....	.....	931	...	93,027
1786	Paul	P. Zaikof	Shilof, Lapin & Orechof	.....	.....	398	398	7,600	...	.....	.....	.....	.....	56	...	35,219
1786	Alexei	Delarof	Alexi Panof	.....	.....	882	661	2,352	...	147	73	220	1,276	544	...	63,367
1786	Alexander Nevski	S. Zaiko	Shilof, Lapin & Orechof	.....	.....	1,830	1,573	37,725	...	.....	674	1,124	1,417	2,475	...	238,700
1786	Zosimi & Savatia		Potasof	.....	.....	292	62	26,500	...	.....	.....	.....	.....	150	...	86,970
1786	Michael		A. Cholodilof													
1787	George		Panofs	.	...	.....	1,388	.....	.....	...	.....	.....	.....	.....	183	...	40,300
1789	St. Gregory Pobedonosez	Pribilof	Shelikof & Lebedief	.	...	.....	2,720	2,267	31,115	15	.....	.....	.....	1,025	6,794	464	258,018
1791	Zosimi & Savatia		Protasof	.....	.....	1,420	1,364	45,500	...	.....	.....	.....	.....	4,850	75	171,914
1791	Barnabas & Bartholemy	Muchoplef	Shelikof, Savelief & Panofs	.....	.....	360	200	31,627	...	.....	.....	.....	.....	946	133	78,000
1793	George		Panofs													
1797	Zosimi & Savatia		Kiselef	.....	.....	88	78	11,350	...	.....	140	167	175	.....	...	33,860
1798	George	Konovalof	Lebedef-Lastochkin	.....	.....	1,189	710	66,860	750	492	40	60	102	1,453	**	183,200
1803	Zosimi & Savatia	Belaief														
				2,501	1,517	96,047	58,618	417,758	977	1,679	10,421	15,147	14,961	62,361	772	6,968,178

Note: These figures are taken from Berch's Chronological History of the Discovery of the Aleutian Islands. The whale bone and walrus tusks are valued at so much a "pud" (about thirty-six pounds).

The Shelikof-Golikof Company landed at Okhotsk between the years 1786-1797: Sea-otters, 15,647; otter tails, 13,941; fur seal, 139,266; land otter, 3,360; black foxes, 4,625; cross foxes, 5,222; red foxes, 5,704; blue foxes, 600; beaver, 428; sable, 200. The value of the whole was 1,479,600 rubles. *Mink. **2,300 beaver.

WASHINGTON TERRITORY FIFTY YEARS AGO

In 1863 Washington Terrtory was ten years old. At its creation in 1853 it included an area of about 100,000 square miles From its enlargement in 1859 it included 240,000 square miles for four years. Washington and Nebraska were then adjoining territories, meeting at the summits of the Rocky Mountains. Washington was then about as large as Oregon and California combined. In 1863 Idaho was created, when Washington, by the cutting off, was reduced to its present area. This article relates to Washington at that time, before Idaho.

In 1863 William Pickering was Governor of the Territory; L. J. S. Turner, Secretary; John J. McGilvra, United States Attorney; William Huntington, Marshal; David Phillips, Territorial Treasurer; Rodolph M. Walker, Auditor; Alonzo M. Poe, Printer, and Thomas Taylor, Librarian.

Christopher C. Hewitt was Chief Justice and James E. Wyche and Ethelbert P. Oliphant Associate Justices. Each justice had a district in which he conducted the judicial business. The First District included the counties of Missoula, Idaho, Nez Perce, Shoshone, Spokane and Walla Walla, with sessions of court at Walla Walla, Judge Oliphant presiding. The Second District included Klickitat, Skamania, Clark, Cowlitz, Wahkiakum and Pacific Counties, with terms of court at Vancouver, Judge Wyche presiding. The Third District included Chehalis, Lewis, Thurston, Mason, Pierce, King, Kitsap, Island, Snohomish, Jefferson, Clallam and Whatcom Counties, with court at Olympia, Judge Hewitt presiding. Sessions of court were held twice a year, in the spring and fall, though at different times in each district, for the convenience of attorneys and others. Though Olympia was the only place in the Third District named, court had been held many times at Port Townsend, Seattle and Steilacoom. Once a year the three judges met at Olympia and held a term of the Supreme Court, when they passed upon cases appealed from the District Courts. It was not satisfactory to litigants and lawyers to have the judge who had decided against them in the lower court again participate in the court above, and some years later a fourth judge was added, and he who had tried the case below was excluded from its determination above.

Indian affairs in the Territory were under Calvin H. Hale, Superintendent, assisted by George F. Whitworth, Chief Clerk. The Yakima reservation had A. A. Bancroft for agent; the Flathead reservation, Charles Hutchins; the Makah, Henry A. Webster; the Tulalip, Samuel D. Howe;

the Skwaksin, E. Baker; the Nez Perce, J. W. Anderson; the Skokomish, F. C. Purdy; the Puyallup and others, Alfred R. Eder. In addition to the agents there were usually on the reservations other white men as farmers, teachers, blacksmiths and doctors.

Wlliam H. Wallace was delegate in Congress during the two years ending in March, and Geo. E. Cole during the two years following.

The Territorial Militia consisted solely of officers, J. M. Moore being Brigadier General; George Gallagher, Adjutant General; Richard Lane, Quartermaster General, and E. A. Willson, Commissary General. About twenty years afterwards the first company was organized, equipped and armed.

Victor Smith was Collector of Customs for the District of Puget Sound, with office in Port Townsend at first, but later in Port Angeles.

United States land affairs were managed by Anson G. Henry, Surveyor General, aided by Edward Giddings and Alex C. Smith, his subordinates, and by Arthur A. Denny as Register and Joseph Cushman as Receiver of the Olympia Land Office, and Joseph M. Fletcher as Register and Samuel W. Brown as Receiver of the Vancouver Land Office.

United States military affairs were under the direction of Gen. Benjamin Alvord, with headquaters at Fort Vancouver, and other garrisons at at San Juan, Steilacoom, Walla Walla and Colville. The regular army troops at this time were all in service in the Eastern states, a regiment of Washington Territory Volunteers under Colonel Steinberger replacing them in the garrisons named.

The Federal Government was represented on Puget Sound by the revenue cutter Shubrick and the steamer Massachusetts. In addition to these branches of service there were six lighthouses, at Admiralty Head, Blunt's Island, Port Angeles, Tatoosh Island, Cape Shoalwater and Cape Disappointment.

The Territorial Legislature in 1863 consisted of nine councilmen elected for three years, and thirty Representatives elected for one year. It convened at Olympia in December, and was in session sixty days. In 1862-3 the membership of the two bodies was:

Council—Ralph Bledsoe, Idaho and Nez Perce Counties; Frank Clark, Pierce and Mason; Hiram Cochran, Clark; Cowlitz, Wahkiakum and Pacific; Paul K. Hubbs, Jefferson and Clallam; O. B. McFadden, Thurston, Lewis and Chehalis; Benjamin F. Shaw, Island, Snohomish and Whatcom; John A. Simms, Skamania, Klickitat, Walla Walla and Spokane; John Webster, King and Kitsap.

House Representatives—A. B. Andrews, Shoshone County; John D. Bagley, Clallam and Jefferson; L. F. Blake, Missoula; Albert Briggs,

Jefferson; Charles P. Campfield, Spokane; Henry M. Chase, Walla Walla; Wm. Denniston, Nez Perce; Charles Eagan, Pierce; J. L. Ferguson, Klickitat and Skamania; Thomas J. Flethcer, Clark; Joseph Foster, King; Morris H. Frost, Island and Snohomish; Miles S. Griswold, Pacific; Paul K. Hubbs, Jr., Whatcom; Thomas Hunt, Thurston; James Huntington, Cowlitz and Wahkiakum; James Longmire, Thurston; William McLain, Thurston; N. Northrop, Walla Walla; James Orr, Shoshone; E. W. Perrin, Chehalis and Mason; J. D. Potter, Clark; Antonio B. Rabbeson, Pierce; Wm. Ranke, Clark; Thomas M. Reed, Idaho; S. J. Slater, Shoshone; S. D. Smith, Walla Walla; Benjamin R. Stone, Kitsap; James Urquhart, Lewis; Walter T. Weed, Kitsap.

In the Territory then were seventy-one postoffices. Seattle was the only postoffice in King County, and Steilacoom, Franklin and Spanaway the only offices in Pierce. Spokane had not secured its first office. In what are now the three leading counties of the state were then but four offices, where at present are several hundred offices and postoffice stations.

There were in 1863 but six newspapers in the Territory, all small weeklies. The Golden Age was published at Lewiston by Kenyon & Co., the Washington Statesman at Walla Walla, by Northrop & Rees; the Northwest at Port Townsend, by John F. Damon; the Puget Sound Herald, at Steilacoom, by Charles Prosch; the Overland Press, at Olympia, by A. M. Poe, and the Washington Standard at Olympia, by John Miller Murphy.

There were twenty-four counties then in the Territory. The population numbered about twelve thousand in 1860, and had increased in number to perhaps twenty thousand in the early part of 1863, the discoveries of gold in what is now Idaho having attracted thousands of men to that portion of the then Territory of Washington. The votes cast in all the Territory in the summer of 1861 aggregated 3,509, and the assessment of all the property amounted to $6,800,003. In 1863 the election and assessment covered only that part of the Territory, but little more than one-third in square miles, included within our present State limits. Not long after that time Idaho contained as many inhabitants, perhaps, as Washington.

The Federal Government levied a tax in 1863 against Washington Territory amounting to $8,415.65, which in turn was apportioned by the Territory among the different counties. The Territorial revenue was exceedingly small during the first years, the actual cash received into the Treasury to the end of 1863, a period of ten years, amounting to only $20,334.78, and even that petty amount was reduced to $16,459.41

by the government tax and the receiving and disbursing fees allowed the Treasurer in lieu of a salary.

The following statements will give in brief the various counties of the Territory fifty years ago:

Chahalis—Montesano, county seat; other towns and postoffices, Elma, Cedarville, Satsop, Chehalis and Union. P. F. Luark was Probate Judge; J. A. Karr, Auditor; William Valentine, Sheriff; Samuel Benn, Treasurer; Jacob Johnson, Assessor; Geo. W. Butler, Coroner; James Gleason, School Superintendent; Reuben Redman, John Brady and Alfred Hills, Commissioners.

Clallam—Port Angeles, county seat. Before this time the town was sometimes called Cherbourg. It became the port of entry for Puget Sound in the latter part of 1862. John Martin was Sheriff; William King, Auditor; D. F. Brownfield, Probate Judge; James Doty, Coroner; Thomas Abernethy, C. H. Black and —— Clifford, Commissioners. E. H. McAlmond was Postmaster; J. J. Banan, physician; D. F. Brownfield and C. M. Bradshaw, attorneys, and G. B. Johnson and Bradshaw Howell, merchants.

Clark—Vancouver, county seat; other towns, Pekin and Washougal. A. J. Laurence, Probate Judge; S. A. Hern, Auditor; J. Aird, Sheriff; John Brazee, Assessor; J. D. Biles, Treasurer; B. Covington, School Superintendent; G. W. Hart, Sol Strong and Wm. H. Dillon, Commissioners. In Vancouver were Providence School, conducted by the Catholic Sisters, and Vancouver Academy, by J. B. Brouillet; stores conducted by Hiram Cochran, Thomas H. Smith, Crawford & Slocum, M. Miller, Haas & Wise, J. Raiser, John Hexter and G. W. Vaughan; J. B. Cole, Anthony Heger and J. W. Nepe, physicians; J. O. Raynor, J. Dougherty, John McCarty, Charles Tiernay, J. B. A. Brouillet and A. M. A. Blanchet clergymen; Columbia Lancaster, W. G. Langford, A. J. Lawrence, R. E. Lockwood, J. D. Potter, Jules Puiste and Henry G. Struve, attorneys.

Cowlitz—Monticello, county seat; other towns, Oak Point and Castle Rock. B. Taffey, Sheriff; James Young, Auditor; V. M. Wallace, Treasurer; B. F. Smith, Assessor; P. W. Crawford, Surveyor; C. A. Thatcher, School Superintendent; A. S. Abernethy, W. A. L. McCorkle and J. S. Bennett, Commissioners; N. Ostrander, physician; Hays & Young, merchants; Royal C. Smith, H. Jackson and A. S. Abernethy, postmasters.

Idaho—Florence, county seat. J. J. Sandefer, Sheriff; Jeff Perkins, Auditor. Florence was a mining town of interest, supposed at that time to have a population of 3,000, located 650 miles from Olympia.

The name of the county was given to it by the Washington Legislature in 1861, and two years later was given by Congress to the new Territory. It is said to mean "star;" also "Gem of the Mountains."

Island—Coupeville, county seat; Oak Harbor, another town. John Robertson was a merchant; W. S. Ebey, S. D. Howe and R. C. Hill, attorneys; J. C. Kellogg and M. L. Mounts, physicians; Geo. F. Whitworth, clergyman, and Caleb Miller postmaster of Oak Harbor.

Jefferson—Port Townsend, county seat. Port Ludlow and Port Discovery were other towns. Albert Briggs was Probate Judge; H. L. Tibbals, Sheriff; E. S. Fowler, Treasurer; J. J. H. Van Bokkelen, Auditor; T. M. Hammond, Coroner; R. S. Robinson, F. W. Pettygrove and J. F. Tukey, Commissioners; E. S. Dyer, James Seavey and James Woodman, Justices of the Peace. In the county were stores kept by Amos, Phinney & Co., J. J. H. Van Bokkelen, L. B. Hastings, A. F. Learned, Stork & Co., J. F. Blumberg, J. E. Laighton & Co., and D. C. H. Rothschild; B. C. Lippincott was the only clergyman; Louis Kuhn, Samuel McCurdy and P. M. O'Brien were physicians, and B. F. Dennison, Seucius Garfielde and Paul K. Hubbs, attorneys. Port Townsend was an incorporated town, with a Board of Trustees, consisting of E. S. Fowler, Henry L. Tibbals, A. A. Plummer, Joseph Layton and J. J. H. Van Bokkelen.

King—Seattle, county seat. Samuel F. Coombs was Auditor; Thomas S. Russell, Sheriff; David T. Denny, Treasurer; Edwin Richardson, Surveyor; A. P. Delin, Coroner; H. P. O'Bryant, Wm. P. Smith and Henry L. Yesler, Commissioners; L. B. Andrews, S. W. Russell and James Valentine, Justices of the Peace. King was then one of the small counties of the Territory, far behind Thurston, Clark, Pierce and several others. S. F. Coombs was postmaster of Seattle, and about that time the White River office was created and David A. Neely made postmaster thereof. Daniel Bagley was the only clergyman, and D. S. Maynard the only lawyer; Henry A. Smith, Josiah Settle and D. S. Maynard were physicians; while the merchants were Yesler, Denny & Co., Williamson & Greenfield, Dexter Horton, Charles Plummer, S. B. Hinds, Kellogg Brothers and S. F. Coombs.

Kitsap—Port Madison, county seat; other towns, Port Orchard, Seabeck and Teekalet. Hiram Burnett was Probate Judge; John Webster, Auditor; Henry B. Manchester, Sheriff; Andrew B. Young, Treasurer; W. R. Temple, W. B. Sinclair and S. W. Hovey, Commissioners; H. Spaulding, Justice of the Peace, and John Webster, William Renton, Marshall Blinn and S. W. Hovey, postmasters. At each of the four places was a sawmill and store.

Klickitat—Rockland, county seat. The county was new, partially organized and of small population and importance. The main feature of it was the Yakima Indian Reservation, of which A. A. Bancroft was agent in charge, with J. H. Wilbur, clergyman, as assistant.

Lewis—Claquato, county seat; other places, Boisfort, Cowlitz, Grand Prairie, Highland, Newaukum and Skookum Chuck. T. M. Pearson was Probate Judge; Javan Hale, Sheriff; J. L. Decker, Treasurer; John H. Harwood, Auditor; G. W. Buchanan, School Superintendent; L. L. Gates, J. C. Davis and S. S. Ford, Commissioners; John J. Browning, Thomas W. Newland, Louis L. Dubeau, George Drew, John R. Jackson, Obadiah B. McFadden and Charles Van Wormer, postmasters. Claquato and Grand Prairie each had a saw mill and a flour mill. At Claquato were two lawyers—James McIlroy and Timothy R. Winston—and one clergyman, J. S. Douglass.

Mason—Until about the time covered by this review this county was known as Sawamish. The new name was from one of the first and most popular of Territorial officers, then dead, however. Oakland was the county seat. Arcada and Skokomish were the other places. William O. McFarland was Sheriff; Joseph H. Nusiner, Auditor; Wm. F. O'Harver, Treasurer; Edward Miller and F. C. Purdy, Commissioners; William Champ, David C. Forbes and Alexander Dillman, Justices of the Peace; E. C. Lord, A. M. Collins and E. A. Willson, postmasters. S. Hancock was an attorney, and Dr. Pegget, a physician; Swindal & Bros. and E. A. Willson & Co., merchants.

Missoula—This county, now in Montana, was not fully organized before its cutting off from Washington. It was represented in the Legislature by Councilman J. M. Moore of Pierce City, and by Representative L. F. Blake of Fort Owen. The county seat bore the triple-worded name of Hell Gate Ronde. It was 760 miles from Olympia.

Nez Perce—Lewiston, county seat, also first capital of Idaho Territory. The county got its name from the Nez Perce Indians, which, by the way, was not the name of the Indians at all, but a name given to them for a fancied reason by French Canadians about a hundred years ago. C. E. Irvine was auditor; Sanford Owen, sheriff; J. B. Beeker, coroner; Whitfield Kirtley, David Reese and James Hayes, commissioners; Henry P. Sweetzer, D. J. Warner and T. M. Pomeroy, Justices of the Peace. Gilmore Hays and G. B. Stone were attorneys; Doctors Betts, Carpenter, Kelley and Orendorff, physicians; and McIteeny & Terry, F. H. Simmons, Daggett & Dakin, Ross, Dempster & Co., James O'Neill, Fitch & Co., R. Bailey, Bettman & Hellman, Kaufman & Rosenthal, Mayer & Co., J. D. Thompson, Joseph Levenson, Crawford, Slocum &

Co., D. & J. Isaacs, A. Goldsmith, and Baldwin Bros., were merchants.

Pacific—Oysterville, county seat; other places, Bruceport, Pacific City and Willapa. John Briscoe was Probate Judge; Henry K. Stevens, Auditor; G. W. Warren, Sheriff; Valentine S. Riddell, Treasurer; James H. Whitcomb, Assessor; H. S. Gile, Surveyor; G. H. Brown, coroner; Henry S. Gile, School Superintendent; T. M. Adams, George W. Wilson and Isaac Whealdon, Commissioners; F. C. Davis, Henry Blissett, J. E. Pickernell and Solomon Dodge, Justices of the Peace; Isaac A. Clark, Charles Barstow, Isaac Whealdon and Job Bullard, postmasters. John Riddell, Mark Winant, Henry K. Stevens, V. S. Riddell and Crellius & Co. were merchants.

Pierce—Steilacoom, county seat; other places were Spanaway and Franklin, the latter now known as Sumner. James P. Stewart was Probate Judge; James M. Bachelder, Auditor; Egbert H. Tucker, Sheriff; Josiah H. Munson, Treasurer; Daniel Collins, Coroner; William H. Wood, School Superintendent; Charles Bitting, A. F. Byrd and William M. Kincaid, Commissioners; A. B. Rabbeson, Hugh Pattison, W. W. Sherman and Nicholas Hall, Justices of the Peace; Erastus A. Light, John Carson and Christopher Mahan, postmasters. Frank Clark was an attorney; B. S. Olds and J. B. Webber, physicians; Daniel Kendig, George W. Sloan and Father Varey, clergymen; E. A. Light, J. P. Moorey, J. H. Munson, Philip Keach, George Gallagher, H. G. Williamson, S. McCan & Co., Pincus & Packscher and Charles Eisenbeis, merchants. J. L. Perkins had a sawmill at Puyallup bay, now Tacoma, and Balch & Webber at Nisqually bay; John V. Meeker had a soap factory at Steilacoom; A. F. Byrd and Thomas M. Chambers each had both saw and flour mills near Steilacoom. The present hospital for the insane was then the Fort Steilacoom military garrison.

Shoshone—Pierce City, county seat; Oro Fino was another place. Legally created by the Washington Legislature in December of 1862, it was not organized and officered until after the creation by Congress of Idaho in March 1863. It was, however, represented in the Washington Legislature, and had a term of the District Court under Judge Oliphant.

Skamania—Cascades, county seat. Henry Shepard was an attorney, George W. Johnson, a physician; Bradford & Co., merchants, and Isaac H. Bush, postmaster.

Snohomish—Mukilteo, county seat. Sabin Woods was Sheriff; Franklin Buck, Coroner; John Harvey, Henry McClurg and P. H. Elwell, Commissioners; Morris H. Frost and E. C. Ferguson, Justices of the Peace, and J. D. Fowler, postmaster. Frost & Fowler and E. H. Thompson were merchants.

Spokane—Pinckney City, county seat, 610 miles from Olympia. The county was not yet organized. Bloch, Miller & Co., Olmstead & Co., and Ferguson & Co. were traders or merchants in the county. Its Legislative Councilman lived in Walla Walla, and Representative in Pinckney City, long distances from any portion of the present Spokane county.

Thurston—Olympia, county seat; other places, Baker's, Beaver, Coal Bank, Yelm, and Tumwater. Rudolph M. Walker was Probate Judge; Andrew W. Moore, Auditor; Robert W. Moxlie, Sheriff; Samuel W. Percival, Treasurer; R. M. Walker, School Superintendent; George W. Miller and George W. French, Commissioners; Daniel R. Bigelow, James C. Head, Stephen Guthrie, Nathaniel Crosby, George W. Miller, Levi Shelton and Isaac Perry, Justices of the Peace; Samuel Williams, C. B. Baker, C. P. Judson, Stephen Hodgden and Frederick Wagner, postmasters. Olympia Board of Trustees consisted of George A. Barnes, Joseph Cushman, William G. Dunlap, James Tilton and Charles E. Williams, with Richard Lane for Clerk and R. W. Moxlie for Marshal. Nehemiah Doane, Richard J. Evans and A .C. Fairchild were clergymen in 1863; O. Rowland, U. G. Warbass, G. K. Willard and Rufus Willard, physicians; Butler P. Anderson, Elwood Evans, B. F. Kendall, Edward Lander, Henry M. McGill and John J. McGilvra, attorneys; C. Crosby & Co., G. K. Willard & Son, H. A. Judson, D. Phillips & Son, Lightner & Frankel, Bettman Brothers, S. W. Percival and Charles E. Williams, merchants.

Wahkiakum—Cathlamet, county seat. James Birnie was postmaster, and James Birnie & Co. kept a store. Hiram Cochran of Vancouver and James Huntington of Monticello represented Wahkiakum in the Legislature.

Walla Walla—Walla Walla, county seat, with an estimated population of 1,000, was the largest town within our State limits, and it so remained until 1881. James Galbreath was Auditor; James Buckley, Sheriff; H. Howard, Treasurer; W. W. Johnson, Surveyor; W. B. Kelley, Coroner; J. F. Wood, School Superintendent; Stephen Maxon, Wm. H. Patten and John Sheets, Commissioners; Edward E. Kelly, postmaster. Walla Walla was one of the three towns with municipal governments, Olympia and Port Townsend being the other two. Walla Walla's officers were E. B. Whitman, Mayor; W. P. Horton, Recorder; G. H. Porter, Marshal; Edward Nugent, Attorney; H. Howard, Treasurer; L. W. Greenwell, Assessor. Among the people were John Fleim, clergyman; D. H. Danforth, J. H. Harris, J. L. McKinney, and Edward Sheil, physicians; Otis L. Bridges, A. J. Cain, J. M. Chenoweth, W. A. George, Edward Nugent and John G. Sparks, attorneys; J. M. Vansyckle

& Co., Keyger & Reese, Baldwin & Whitman, Wm. H. Mastin, Brooks & Cranston, Brown & Dusenberg, Brand & Haas, A. Mayer & Co., R. Jacobs, J. S. McIteeny, Brown & Co., Henry Howard and D. S. Baker, merchants.

Whatcom—Whatcom, county seat. Whatcom then included all of what is now San Juan and Skagit counties. H. C. Barkhousen was Probate Judge, and also Auditor; James Kavanugh, Sheriff; Mm. Moody, Treasurer; John A. Tennant, M. T. Haeus and M. H. Offutt, Commissioners; R. B. Boyd, Justice of the Peace, and C. E. Richards, postmaster of Whatcom, and E. T. Hamblet, Justice of the Peace, and Isaac C. Higgins, postmaster of San Juan. Moody & Sinclair and C. E. Richards were merchants.

The information contained in the foregoing article concerning Washington Territory and its counties and towns fifty years ago was obtained chiefly—almost entirely—from "Bancroft's Handbook Almanac for the Pacific States, 1863." From other sources the compiler knows that it is generally correct, but he also knows and regrets that it is not uniformly complete. Compared with conditions and things of the present day, Washington has made immense progress during the half century that has elapsed since the record here given was first published, a progress apparent to all without further and fuller statement. Very few, probably not more than a dozen or two, of all those whose names are given as citizens in 1863 are among our people in 1913. THOMAS W. PROSCH.

EARLY DAYS AT WHITE SALMON AND THE DALLES

[The following paper was written by a pioneer who settled at The Dalles in 1858. She is now eighty-six years of age, but remembers well her neighbors of the early days. Her paper was read first at a meeting in the Congregational Church at White Salmon a few years ago. Later it was read at a meeting of The Old Fort Dalles Historical Society and again at a pioneer's meeting at Hood River. It is published here that others may enjoy the reminiscences of this survivor in an interesting portion of the Northwest.—Editor.]

It has been said that the Hoosier Schoolmaster, by Edward Eggleston, was inspired by a sentence in Taine, advising young authors to write about the things they know most about. Perhaps some of us ought to know more about the happenings in our immediate neighborhood than we do, and that is one reason we are here, to learn, if possible. Beginnings are always interesting; the beginning of a community the most interesting to us.

These reminiscences I have gathered from the memories of the few that are left, and recall, somewhat, the simple annals. Every year the number of these grows less.

A class of persons, that we have been accustomed to call pioneers, Jack London is pleased to call world missionaries, who have spent the years of their lives in pushing out the walls of civilization, and in making the wilderness blossom with roses.

They are those who began the work of making these desert lands blossom as the Valley or Sharon; those who laid the foundation of our state so well and so strong, that they who come after can build upon it; those who founded the Inland Empire, by building on law and morality so well that it survives the wear of time and stands a monument to the founders. The history of a community is a record of the work of those who have been the makers of the place, the accumulated results of which in America are among the foremost achievements of the century.

A correspondent of the Portland Journal, after giving the story of the old Wasco County Court-House, closes by saying, "That is the history." But there will probably remain some reminiscences recounted by the old inhabitants. That is what we want to do today. The remnant of those of us who came to this Inland Empire as a temporary expedient for bettering our fortunes by utilizing the luxuriant bunch-grass or by the

rich mines, or by trade; look wonderingly upon the products of this once arid land, which challenges the admiration of the world. While there were intellectual giants in those days, the absolutely necessary duties of life occupied their time. They were history makers. Very little was chronicled. The unsettled conditions of the country bred a class of men and women whose like will never be seen again on American soil or on the face of the earth. For brain and brawn their leaders were unrivalled. Tourists are enchanted with the picturesqueness of our scenery, poets have sung its praises, artists have put on canvas what only an artist can see. These mountains to me are as dear as are the Alps to the Swiss peasant. A look back to the time when the first settlers swung their axes in the primeval forest shows progress. Victor Hugo said: "An invasion of armies may be resisted, but an invasion of ideas cannot." The history of a community is the life story of each of the individuals whose work was given to it. The desire to transmit the story of our lives, and that of our predecessors to our successors is found among all nations; it may be by tradition, or told from father to son, or in sagas or by monument, or written words. History is principally to keep alive the spirit of the true nation-builders, who bravely did their work, which was not only for their own time, but for all ages. Those who cleared the land, built houses and mills and bridges, established schools and churches, civil liberty, and all that makes American citizenship valuable.

We wish now to recall some of the time-honored, once familiar names. Unwritten may be their names, except on the lives and hearts of those who knew and appreciated their work. The first mention we find of White Salmon and Hood River was by Lewis and Clark on October 29th [1805], when they were passing down the Columbia River. They gave the name of La-Biche to Hood River and White Salmon they called Canoe River, from the number of canoes lying there, their owners fishing in the stream. The next spring on their return, on the 14th of April [1806] they saw the first horses they had seen since leaving that neighborhood, six months previous. The Indians told them they had captured them from the Deschutes while on a warlike excursion. The Indian name of Deschutes was Ta-wa-na-hi-ooks. The French voyageurs gave it its present name.

Erastus and Mary Joslyn were among the earliest settlers on the North Bank of the Columbia River. They came from Massachusetts, Mr. Joslyn has told me that when he was nine years old he was put to work in a cotton mill, and he never attended school afterwards. He was married to Mary Warner, also a native of Massachusetts, in 1852.

Together they started for Oregon by way of the Isthmus. In the spring of 1853 Mr. Joslyn made his first trip up the Columbia River in search of a location for a home, which he selected and filed upon, under the donation land law, the place selected being the same since owned by Judge Byrkett. For many years they were the only white residents on the North Bank with the lordly Columbia between them and civilization. The pioneer instinct is one of the strangest of the race. There are few stranger manifestations of it than that which brought Mr. and Mrs. Joslyn to such a place. No civilized people were within reach. In the fall of 1855 there were rumors of dissatisfaction among the Yakimas, with Kamaikan, the chief, in the lead, threatening extermination of the whites. The Klickitats, who had been about the Joslyn place, were always loyal and friendly; and well they might be, for the Indians never had better friends.

The Joslyns had built a house and barn, planted an orchard, set out small fruits, started a dairy, which was better than a gold mine in that early day. A friendly Indian warned them, and they fled for their lives, before a band of warriors; crossed the river to Dog River, now Hood River, where two white families, those of Nathaniel Coe and Wm. Jenkins. From there they saw their house and barn go up in flames. This was in February, 1856. The Joslyns spent the years until 1859 in Portland. When they returned after the Indian excitement was quieted, the government had built a blockhouse, and Indian Agent Townsend was superintendent. He lived in the blockhouse until 1859. A. S. Cain, in charge of the Indians on the north side of the Columbia River from Vancouver to opposite The Dalles, assisted by A. H. Roby, in charge of the Yakimas, occupied the blockhouse until they could make improvements the second time.

The Joslyns were never residents of The Dalles more than a few months at a time, but they were always identified with the interests of that place. There was their church home and their place of business. On the 17th day of September, 1859, Rev. William A. Tenny and Abby, his wife; Erastus Joslyn and Mary, his wife; William Stillwell; Zelok M. Donnell and Camilla, his wife, and E. S. Penfield were organized into the Congregational Church of The Dalles. Only one of these original members remains to this day. The Joslyns helped greatly in the support of the church, attending the services as often as practicable. This will be better understood when it is remembered that they had to go to The Dalles on Saturday and remain until Monday morning at 5 o'clock, the hour at which the steamer left The Dalles, and that the fare was five dollars the round trip; ten dollars for the two. While there they were usually entertained by friends, most often at the pastor's house, dividing the beds;

the women took the beds and the men and the children the floor in pioneer way. The first time I was at White Salmon was in June, 1862, at the time of high water. Mr. Joslyn had come to The Dalles in a skiff and took a number of us home with him, twenty miles down the river from The Dalles. There was the Rev. Thomas Condon, wife and four children, myself and three children, in the party.

There was with the Joslyns at this time the Rev. E. P. Roberts, wife and three children. I do not know how many hired men were there, but I do know there was no hired person in the house to do the cooking and general work necessary to be done for such a family, besides the dairy work resulting from the more than twenty cows kept.

Mrs. C. J. Crandall tells this little incident that she remembers as having occurred at the time of this visit. She was then only a child eight years old. Some Indian women had brought in an immense quantity of wild strawberries. They had to be picked over. Mrs. Joslyn ranged the children around what the child thought was the biggest table she ever saw, with a pile of berries and a cup before each child, to put the picked berries in. No child was allowed to eat a single berry until all were picked, then each one was given some to eat. I tell this to show how Mrs. Joslyn had the tact to use even little hands in useful employment. It is the kindergarten idea and shows how pioneer women had to manage. Mrs. Joslyn never forgot a birthday, child's or adult's; she could always have a cake, some flowers, some little present that made it a red letter day.

Mr. Joslyn was one of the incorporators of the woolen mill at The Dalles. At one time he represented his county in the territorial legislature. The hospitality of the Joslyns and of all the pioneer homes was known far and wide. Friends, visitors, travelers from the lower country, to what was later called the Inland Empire, all found a welcome. On Sundays, if they had a preacher with them, they had preaching services; if not, they had a Sunday school or a Bible reading, many of them remaining to dinner. Their home was headquarters for all kinds of business, a court-room, or a post-office. Often meals were prepared for not less than thirty persons. To provide for so many involved a vast amount of labor, considering the inconveniences of things to do with, it exacted the greatest patience. Most of the supplies were brought from Portland, over the Potrage, and freight was forty dollars per ton. Some years later, I was at White Salmon, a company of us went up the hill to attend a religious meeting of the Indians. Mr. Willetts drove the wagon. Crossing Jewett's creek was very different from what it is now. We went straight down and up again. The Indian camp must have been about where Jewett's lawn is now. The tent was oblong, perhaps forty feet in length, of matting, made of cattails,

which grew in swampy places. There were as many as two hundred and fifty Indians. They were cleanly dressed and looked nice. They had "gone back" on what they had learned from Jason Lee or from Father Wilbur and from the Joslyns. Centrally in the room were four Indian men, with tomtoms, beating on them continually. Outside of these were ranged the old men, then the middle aged men, then the young men, then the boys, then the women and girls. They had shells on strings that they shook and rattled, beating on the drums and singing "hoohoo." Their order was perfect. All were solemn, not even a boy smiled, or made the least noise. We stayed five hours.

To the close of their lives, Erastus and Mary Joslyn retained a glad humor and a keen relish of the joy of living. Their rectitude was such as to inspire the respect of all who knew them. Memory recalls them as those who waken in their friends simple affection. They were in many ways in advance of their time. Above all, they were Christians whose first want was a church.

The early history of White Salmon was closely connected with The Dalles. It was their trading point, also their social and religious center. Rev. Mr. Tenney, the organizer and first pastor of the Congregational Church, with his family, made many visits to White Salmon during and including the years 1858 to 1861. Mr. and Mrs. Tenney were born in the State of Maine. Mr. Tenney was a graduate of Amherst College and of Bangor Theological Seminary. He supplemented his education with missionary work in Oregon, at Astoria, St. Helens, Forest Grove and outlying places, which had well equipped him for the work he found awaiting him at the gateway of the gold mines in the unexplored regions. Abigail W. Davidson had taught school ten years in the State of Maine; was married to Mr. Tenney in 1856; the following month sailed from New York. They made their first home at Eugene, two separate times at Astoria and at The Dalles.

Rev. Mr. Tenney gave me this incident. He said: "I preached the first sermon at White Salmon in English, but Jason Lee preceded me in a sermon to the Indians. Old Panna-kanick related to me the story of his conversion, resulting from the preaching of Jason Lee. Panna-kanick was a reasonable man, a Christian in spirit and in practice, but he labored under obstacles. Panna-kanick said: 'Jason Lee, close Boston man, choca nika illahee, heap wawa, wawa Jesus Chlist. Nika hiu cly; hiu chuck nika eyes. Nika tumtum hiu sick. Mesache tumtum seven days. Mr. Lee come again to nika illahee. Wawa much more Jesus Chlist, nika tumtum got well. I have been happy ever since.' Long ago the old Indian went to meet the Joslyns, of whom he was always fond."

Rev. E. P. Roberts and wife had been missionaries in the Ponapo, one of the East India Islands. They landed at White Salmon March 29th, 1862. They lived in the house with the Joslyns until June of the same year, when they moved to the blockhouse, it not being in use at that time. The blockhouse was built by the general government, as a place of security for supplies needed at Fort Simcoe. Dr. Lonsdale was then the agent in charge of the Klickitat and Yakima Indians. Mr. Roberts built a house on Point Lookout, as we used to call it, where he removed his family in September. Mrs. Roberts has told me that she and Mrs. Joslyn were the only white women on the North Bank of the Columbia River.

I am indebted to Mrs. E. L. Smith of Hood River for this story: Sapot-wil, the Indian who warned the settlers of White Salmon of the intended assault, and so saved the lives of the Joslyns, lost his standing among his own people, and was so ashamed of the Indians that he changed his name to Johnson, and made his home on the Hood River side. Mrs. Smith says: "He often visited us and was given a seat at the table, with the family, to show the esteem he had won by his heroic action. He was welcomed by the children, for he brought such beautiful bows and arrows, a string of trout or a haunch of venison. Johnson was possessed of a fund of knowledge that made him an ideal guide in the mountains. As an instance of his good theological principles, he was asked, 'Where do you think you will go when you die?' Johnson instantly replied: 'Chee memaloose, Chee cumtux,' meaning: So soon as I die so soon I will know."

Thomas Condon, the second pastor of the Congregational Church at The Dalles, with his family, spent the summers at White Salmon. Mr. Condon began his work in Oregon as a home missionary in a number of places. During his pastorate at The Dalles, he made the discovery of the fossil beds of the John Day Country. At that time there was not a packer nor a teamster who was not on the lookout for a specimen for Mr. Condon's collection; it has been added to throughout his lifetime, and gained for him a world wide reputation, as one of the foremost geologists of the age.

He worked alone in his chosen field; others came in and reaped the benefit. For many years he was professor in the Oregon State University. Many of pupil of that university will go through life with his knowledge of geology some way mixed with Mr. Condon's personality, that peculiar smile wreathed about his face when he spoke, the tender manner in which he handled the bones and rocks, his quaint manner that is indescribable. He read truths in God's books of sand and stone. It is my wish and pleasure at this time to witness to the help I have received from the high

ideals and advanced thought of Thomas Condon, for he was my friend. Perhaps the best work he did at The Dalles was through his deep and tender sympathy for all.

Turning back the pages of history, we find that James Warner, a brother of Mary Joslyn, when a young man, during the troublous times of our Civil War, took his musket, left his pleasant home and young bride, at the call of his country, offered his life in defence of that flag, for which more precious blood has been shed than for any banner that waves beneath the Heavens. At the close of the war, finding his health much impaired and his business gone, he, with his wife (Cynthia Clark), came to White Salmon and purchased the interests of Rev. Mr. Roberts. He moved the house from the place where Mr. Roberts had built it to the place where it now stands. It has been added to, time and again, every addition marking another historic epoch. The rooms at the west end of the house were set apart for Father Clark, who came from his old home in Massachusetts to spend quiet days with his children in the West. Mr. Warner was devoutly attached to his White Salmon home; no place on earth was so dear to him. He was the father of the "Little Church on the Hill." Dr. Atkinson visited here often and organized the church on Jewett's historic lawn in 1868. Mr. Warner and Mrs. Jewett kept up the meetings and the Sunday school, through all kinds of weather, with the persistency of heroes. Everybody respected Father Warner. Little children loved him. He was always interested in the work for the cause of Christ throughout the world. Let his memory be cherished by those for whom he toiled so earnestly and so faithfully!

Miss Mercy Clark of Portland spent her vacations at White Salmon. She says of her sister, Cynthia Warner: "She was an ideal pioneer woman, with a cheery courage she faced the privations of life in a sparsely settled region, and was ready to help all who needed assistance. The hospitality of their home was unbounded. They gave their influence to all that would tend to build up a righteous community."

Harry A. Jewett was one, when little more than a boy, who heard the call of his country, though Abraham Lincoln, and responded by taking his life in his hands and serving in the army until the close of the war, when he was married to Jennie Waters. Together they came to Oregon, landing at White Salmon, where they have literally hewed out their home from the "forest primeval," making the wilderness blossom with roses and every flower and fruit. They have entertained and made many people happy in their pleasant home and beautiful grounds. Mrs. Jewett has been a most devoted, unselfish woman, intent on helping any and all who might need her. She has kept her husband as much of a lover as in the

days of their youth. She has brought up children that are a comfort to her, and that promise to take up her work and carry it on. In hunting up pioneer work it is not hard to find what men have done, but women's work is not recorded. Their memory will only live in the hearts and lives of those who loved them. Olive Schreiner says: "For ages and ages woman has stood, longer than the oldest recorded language, and on rocks, now crumbling into dust, are found the tracks of her footsteps." Harry and Jennie Jewett have been history makers. Mrs. Jewett was the first white woman to camp on Mount Hood.

Early days in White Salmon, Hood River and The Dalles were very intimately connected; the people were of similar tastes, their social, religious, and civil functions were necessarily so; the attachment between persons far from kindred, and surrounded by treacherous tribes, is beyond that of blood.

The earlier settlers of Hood River were William C. Laughlin and Doctor Farnsworth, who, with their families, went there in 1852, locating at the Spring, afterward owned by the Coes, later by Doctor Adams.

A very hard winter followed—that of 1852-1853. Judge Laughlin hired five White Salmon Indians to bring them to The Dalles in their canoes. I saw in the Hood River Glacier that Mr. E. L. Smith and Hans Lage were the first white settlers in Hood River Valley. I thought the Glacier man was about a generation behind the times.

Both Mr. and Mrs. Laughlin were born in Kentucky, and had pioneer experience in Illinois. Mr. Laughlin was a Kentuckian of education, had studied law, was a man of ability, one of the best business men in the country, was a man of influence of good presence, possessed of that peculiar dignity claimed for high-toned southern gentlemen. He had the foresight to see the wonderful growth of this country and, despite the obstacles, he worked to accomplish that end.

A memorable and sad event occurred May 15th, 1864, when Mr. Jenkins and his little son, Walter, were lost in the river; they sank, and James Laughlin, thinking he could help them, divested himself of his coat and boots, and they were all three lost. Mr. Phelps lost his self control. James B. Condon, who was living here at that time, found the body of James Laughlin about two weeks later. It was a sorry time for all the community, and a great loss to each of the three settlements. Mrs. Mary Laughlin was a gentle woman of the old school with courtly manners and thoughtful kindliness, and patience with the lack of the comforts and conveniences, to which she had been accustomed.

Nathaniel Coe was born in New Jersey in 1788, was married to Mary White in 1826. Until 1851 there had been no postal facilities in Ore-

gon, which at that time included all north of California, to the British line, and west of the Rocky Mountains, to the Pacific Ocean.

President Fillmore appointed Nathaniel Coe first postal agent. He was instructed and empowered to locate postoffices, establish mail routes, etc. When his term of office expired he located at Hood River.

Mr. Coe was a man of high moral character, scholarly attainments and religious habits. The rapid progress of science did not check his habits of study. He died at his home October 17th, 1868. The O. R. N. invited all persons who would like to attend the funeral to go on their boat. I remember James Condon being there. Thomas Condon officiated. Mrs. Julia Phelps and others were there. Mrs. Coe was a person of literary tastes and poetic temperament. I will mention here that Mrs. Coe changed the name of Dog River to that of Hood River.

Davis Divers settled in Hood River in 1862, having, with two yoke of oxen and two cows, crossed the Cascade Mountains by the Barlow Pass to The Dalles. He followed an Indian trail which brought the first wagon from that city to Hood River. Davis Divers was born in Virginia, February 9th, 1825. He was married in that state and moved to Missouri in 1845. In 1852 he crosesd the plains to Oregon, settling on the Clackamas River, where he remained until his removal to Hood River in 1862. He died at the latter place, August 27th, 1904. D. A. Turner and H. C. Coe are the only remaining pioneers of Hood River who were there when Davis Divers joined the little settlement in the early '60s.

Of the ministers who served these communities, both Horace Lyman and Fred. Balch were native sons of Oregon. The former was from near The Dalles, the son of early missionaries of the Congregational Church. He was graduated from the classical course of the Pacific University, took one year in the Theological Seminary at Oakland, California, with two years at Oberlin, Ohio. He preached one year at White Salmon and Hood River, was once candidate for State Superintendent of Schools. He wrote the history of the state he loved in four volumes. He had charge of the Oregon exhibit at the Centennial Exposition of the Louisiana Purchase. His father, Rev. Horace Lyman, was the first pastor of the First Congregational Church of Portland, assisting in its organization. He held the position for three years.

Frederic Balch was born in Linn County, Oregon. Oliver Wendell Holmes has said: "To know a man, you should go back one hundred years." I knew, loved and appreciated Harriet Snyder, his mother, more than half a hundred years ago; she was my fellow traveler from the State of Indiana to the then wilds of Oregon, to where she had a career. I have often said that if Mr. Balch had written a true story of his mother's life, it

would have been more interesting than even his Columbia Legend, or the "Wauna," as he loved to call it. "The Bridge of the Gods" excels in vivacity, interest and fine thought. Mr. Balch built a church at Hood River, also one at Lyle, which he served acceptably, as well as the "little church across the river." The first edition of "The Bridge of the Gods" was dedicated to his friend, Mrs. Dr. Barrett. He gave his young life in trying to bring the religion of the Cross and civilization to the people of the Inland Empire. Mr. Balch attended the Theological Seminary at Oakland, California.

One of the first to identify himself with this region of country, and to suffer privations and enjoy the beautiful surroundings was Amos Underwood, who crossed the plains with an ox team. When the Cayuse Indian War broke out, he enlisted in Company B, Oregon Volunteers, and became a noted Indian fighter. The Indians soon learned that Mr. Underwood was fair and square and they trusted him. The papers have often sent correspondents to get a story from him, for he is always interesting, often reminiscent.

His wife was a daughter of old Chenowith. She was renowned throughout the country for sagacity. With her husband, she established her home across the Columbia River from Hood River and west of the White Salmon River. She died at her home, November 24th, 1907, the oldest pioneer of that section. She was buried at Hood River. Her husband survives her, but was too feeble to attend the funeral.

Henry Coe paid a beautiful tribute to the true and loyal Klickitats, who had been about these homes and had stood by the whites in the trying times. I quote Mr. Coe's own words: "Truer-hearted men never lived. Tried by the test of battle, they proved themselves men, even though their hearts beat under a dusky skin. Most of them have passed over to the happy hunting grounds. Only a remnant of their race remains." Prominent among them were Johnson, Quemps, Yallup, Johnny Snatups, Coplex, and others who were unwavering in their feality to the whites. Mr. Coe continues: "I was intimately acquainted with John Slibender for nearly half a century, and can say truthfully that I never knew a more honest and upright man. He never wavered in his friendship for the whites, even risking the anger of his own people."

"White Salmon Dave" was suposed to have applied the torch to the Joslyn houses. For many years he was a pensioner of John Cradlebaugh. During the war of 1856 Chief Mark of The Dalles gave the whites much trouble. Then I find in Myron Eells' "History of Indian Missions" that Mark became head chief under Captain Smith's incumbency, having become converted. Makiah, once a chief among the Klickitats, had to leave the

home of his people, through his being a friend to the whites, during the war of 1855-6. He went to Yamhill County and lived on the farm of the late Dr. James McBride, where he died at an advanced age. Kamiakin was a wily chief; through him signal fires leaped from hill to hill from Mount Shasta to Okanogan.

Of the old blockhouse at White Salmon, Mrs. Roberts, who lived in it some months, says it was 18 by 36, fronting the river. Part of the kitchen had been washed away by the high water of 1862. There were two stories, the upper story projecting three feet beyond the lower. In the upper story there were port holes, arranged so as to point the muzzle of the gun at various angles. It stood at the regular steamer landing above the highest stage of water.

All these homes were noted for their hospitality and were of great service to weary emigrants, old Hudson Bay men or persons making their way from the lower settlements to the Inland Empire. All were welcome. At a cursory glance, the work of these people may seem to be of unrequited toil, but their homes were as oases in a desert, and they have left us an example of patience and perseverance. Now how different! Cherries, strawberries, apples from this district are carried all over the world, and command the highest prices paid in the history of fruit growing, brought about by careful culture and hand picking. Buyers now take the fruit on its reputation, culls and all.

CAMILLA THOMSON DONNELL.

EARLY RELATIONS OF THE SANDWICH ISLANDS TO THE OLD OREGON TERRITORY

If one will open before himself a map of the Pacific Ocean, he will be struck by the position of the Sandwich or Hawaiian Islands. As far as distances from large land masses are concerned, it will be seen that the group is nearer the North American continent than it is to Asia or Australia. It is only 2,000 miles from San Francisco, while it is 3,000 miles to Kamchatka, the nearest point on the Asian continent; but the distance to China is 4,000 miles and to Rockhampton, Australia, 4,100 miles. So far then as sea travel in ocean steamships is concerned, Hawaii belongs to America.

But we must look back beyond the time of steam, beyond the time of sails even, back to the time when the Hawaiian Islands were blown up out of the bed of the ocean as volcanoes. Look now to the side of America and we find no connection whatever between the continent and the islands. The depth of the ocean is greatest here—over two miles—and there are no shallow places from dry land to dry land—two thousand miles of deep blue sea. Looking to the west, however, we notice that there are unbroken chains of islands spreading out in every direction northwestward toward Japan,, westward through the Johnstone, Marshall, Caroline and Ladrone Islands to the Philippines, and southwestward through the Christmas, Samoan, Figi Islands and New Caledonia to Australia. The Hawaiian Islands therefore belong to Oceanica, a submerged continent, with its mountain tops and high plateaus elevated above the ocean.

Turning to fauna and flora, the same kinship to Oceanica and lack of relationship to North America are noticeable. Prof. J. Arthur Thomson of the University of Aberdeen (The International Geography, p. 83, et seq.) points out that the plants of Hawaii are the same as, or very similar to, those of the Figi Islands and Australia But more surely than plants, do the animals show the connection between the Sandwich and the other islands of Oceanica.

Likewise the Kanakas, the aborigines of Hawaii, belong to the Polynesian peoples, called by Dr. A. H. Keane, formerly vice-president of the British Anthropological Institute, the Indonesian Race. (The International Geography, p. 108). To this race belong the Samoans, Tahitians, Maoris, Marquesas, and Hawaiians. These peoples form a very small division of the Asiatic branch of the white race. How distinct and unrelated then are the Hawaiians to the North American Indians who, accord-

ing to the same authority, are a race by themselves, possibly of Mongolian kinship.

Period of Discovery and Exploration

It may then be said with safety that there was no connection between the Sandwich Islands and the northwest coast in prehistoric ages, nor even in historic times up to the time of the discoveries in the latter part of the eighteenth century. The discoverers of Hawaii found only two pieces of evidence that the Kanakas had previously had any connection with Western civilization whatever. One was a bent piece of iron, the other an edge-tool probably made from the point of a European broadsword. Cook, the finder, himself points out that these two pieces of iron probably came from some other Polynesian island where European boats traded. It is known that the Kanakas had some sort of communication with the Marshall Islands. Or, possibly a keg bound with iron hoops had been thrown overboard by some ship and had drifted onto the Hawaiian shore.[1]

Captain James Cook, sailing on a scientific voyage to the Pacific, discovered the Sandwich Islands in 1777. He found them inhabited by a handsome race of people of splendid physique, but uncivilized. Sailing northwestward from Hawaii about Feb. 1, 1778, he saw for two months neither bird nor fish. In latitude 44° 33′ Cook sighted land on March 7, and on the 22nd saw and named Cape Flattery. He landed at Nootka on Vancouver's Island March 29. Later he proceeded to the Russian American post, and thence returned to the Sandwich Islands, where he was killed by the natives.[2] Professor Meany says that "his stay at Nootka had two important results. The furs obtained caused a sort of stampede of fur hunters to the Northwest Coast. He recorded a list of native words," from which grew the Chinook jargon. For purposes of this paper, however, the importance of Cook's voyage is that it is the first connection between the Hawaiian Islands and the Oregon country.

The Sandwich Islands, from 1778 on, figured in all the voyages of exploration to the Northwest Coast of America. Going out from England or from Boston and New York, ships took in supplies at Hawaii. Likewise on the return trip.

Captains Portlock and Dixon in the *King George* and *Queen Charlotte* made the trip to explore the fur trading country, sailing from England in 1783.[3] They arrived at the Sandwich Islands the next year, provisioned

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[1]Gen. History and Collection of Voyages and Travels, by Robert Kerr. Printed by Jas. Balantyre & Co., Edinburgh, 1815. Vol. 16, pp. 185-6.

[2]Ibid., pp. 197-206, et. seq.

[3]Dixon, Cap. George, A Voyage Round the World, but More Particularly to the N. W. Coast of America. London; Geo. Goulding, Haydn's Head. 1789.

and proceeded thence to Cook's River. They did not make Nootka on account of the winds. In December, 1786, they returned to the Hawaiian Islands to trade and to winter. Getting provisions, bread fruit, sweet potatoes, yams, cocoanuts and wicker work baskets, they went back to the Northwest Coast in the spring of 1787. Securing a shipload of furs on Queen Charlotte's Island, they sailed for the Sandwich Islands on their way to Canton, China. This time they carried from the islands hogs, taro and sugar cane.

In 1786-7[4] John Meares made a trip from India to the coast of America, probably Alaska, and returned to Canton by way of Hawaii. Many Kanakas, out of remorse and sororw for having slain Captain Cook, wished to visit Cook's country. Meares took with him to Canton just one, Chief Tianna, a brother of the king of Atooi. In his book,[5] published in 1790, Captain Meares gives a long argument for starting a great trade between China and Northwest America. He even mentions the articles to be exchanged, and of course the Sandwich Islands figured as an important midway station and wintering place.

The Fur Trade

His interest greatly aroused by this first expedition, John Meares planned a second voyage. Assisted by East Indies merchants, he fitted out two ships in Canton for the fur trade and other purposes, and directed them to go to Nootka Sound on the Northwest Coast. He himself captained one of the vessels. Fifty Chinese were taken along to act as carpenters and laborers in the enterprise to be embarked in at Nootka. There were also taken on board a number of American Indians and Kanakas who were to be returned to their homes. Chief Tianna, who had been taken to China by Meares in 1787 to see the world, was among these.[6]

Blown out of their course, they went through the Philippine Islands. Winee, a native woman of Owyhee, who had been taken by a Mrs. Barclay to China,[7] died and was buried at sea. On board a plan was made to build a ship at Nootka. They reached that sound in May, 1788, explored the coast southward in June and the next month entered the Straits of Juan de Fuca. One of the vessels, the *Felice*, went back to China by way of Hawaii that fall.

The utter dissimilarity between Kanakas and American Indians is well illustrated by an incident that occurred at Nootka. In August, 1788,

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[4]Meares, John, Esq., Voyages Made in the Years 1788-89. London Logographic Press. Sold by J. Walter, No. 169, Piccadilly. 1790. From the Introductory Voyage, p. XXXIX.

[5]Ibid.

[6]Meares, Voyages made in years 1788-89, etc.

[7]Meares, Voyages made in years 1788-89, etc., p. 28.

Chief Tianna met the Indian chief, Maquilla. Comekela,[8] an Indian who had been at the Sandwich Islands and knew of the Kanaka chief's high connection, acted as interpreter. When the representatives of the two races stood beside each other, the Kanaka was so much larger that Maquilla showed instant dislike for him. Tianna likewise expressed his disgust for the Indians not only on account of their contemptible smallness, but because they were cannibals. In relating the matter in his book, Meares remarked on the superiority of the Sandwich Islanders and expressed the hope that the half million might some day become civilized subjects of Britain.[9]

The ship that had been planned on board the way out was finally built at Kootka and called the *Northwest America*. Her first voyage,[10] it is interesting to note, was to the Hawaiian Islands, October to December, 1788. This, the first vessel built on the Oregon coast, made its maiden voyage to the Sandwich Islands. Along with her went the *Iphigenia*, the other ship brought out by Meares. They wintered in Hawaii and were unmolested by the natives. Captain Douglas mentions[11] the fact that while several European vessels had touched at the ports of these islands since Captain Cook's death, his crew was the first to go ashore. The two vessels returned in March, 1789, to Nootka. In July of the same year the *Iphigenia* left the Oregon coast and provisioned at Hawaii on her way to Canton.[12]

Later Meares sent out two other vessels to the coast of Oregon. They carried a number of Chinese for whom Kanaka wives were to be obtained at Honolulu, and a colony was to be founded at Nootka. Another schooner was to be built. But these vessels were seized by the Spaniards and the project failed of accomplishment.[13]

In 1789 Captain Metcalf sailed in the *Eleanor* to the Northwest Coast for trade in furs.[14] On his trip from Nootka to China, he touched at Hawaii, as had by this time become the custom. The crew went ashore. When the ship was ready to leave, the boatswain was retained on shore by the Kanaka chief, Tamaahmah. The *Eleanor* sailed without him. Being well treated by his captain, John Young became useful to the ambitious chief, helping him become king over the several islands. This Englishman was probably the first European to become a resident of the Sandwich Islands. He was made governor of Owyhee Island, and was still living there with a native wife and in his high office in 1811, when the Astor

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8Ibid., p. 209.
9Ibid., p. 210.
10Ibid., p. 334, et seq.
11Ibid., p. 343.
12Meares. Voyages made in years 1788-89, etc., p. 28.
13Meany, E. S. History of the State of Washington, pp. 29-31. N. Y. Macmillan & Co.
14Irving, Washington. Astoria, p. 58-60. Chicago; Donohue Brothers, 407-429 Dearborn St.

party arrived. As late as 1842 we find the Honolulu Polynesian mentioning the visit of the king to Governor John Young, who was dying, no doubt of old age.[15]

Captain Gray, a Bostonian, in the *Columbia* came to the Coast in 1789, secured a shipload of valuable furs and sailed to Canton to sell them.[16]. He touched at Hawaii and took with him (says Prof. Meany) Chief Attoo, who accompanied him on from China to Boston in 1790. Gray returned to Nootka in 1791 and began building a schooner. A plan of the Indians to massacre the whites was averted through the loyalty of a Kanaka servant. The schooner was launched in February, 1792, and named *Adventurer*.

Another story[17] told of the Columbia this same year of 1789 says that Captain Ingraham carried furs in her in October from Nootka to Canton by way of Hawaii. He carried a native crown prince, Opye, with him to Boston—the beginning, says Mr. Callahan, of friendship between the United States and the Islands. Other American vessels had stopped at the Sandwich Islands previous to this, but had not been favorably impressed with the natives. Captain Ingraham, now in the *Hope*, took Opye back to Hawaii in 1791 and sailed on to the Northwest Coast (probably Prince Edward's or Queen Charlotte's Isles), where repairs were made and water and wood obtained. They killed and ate a hog brought from the Sandwich Islands.[18]

Vancouver, on his way out to explore the western coast of North America, provisioned at the Sandwich Islands in 1792. From that date onward until 1814 American trade in the Pacific grew more rapidly than the English trade.

No permanent settlements were made on the coast; but a lively exchange of commodities took place on the decks of the trading vessels. They took knives, iron, copper pans, and trinkets from Boston, got furs for them on the Northwest Coast, completed their cargoes with sandalwood at the Sandwich Islands and exchanged everything for teas, silks and nankins at Canton. On their voyages they used the Sandwich Islands as a principal place of resort. Using these islands as a base, they developed the whaling, sealing and pearl oyster industries. The industry of the Americans finally resulted, says Callahan, in the settlement of Astoria and the colonization of Oregon.[19]

15Littell's Living Age, Vol. 5, 1845, pp. 165-167. Boston. T. H. Carter & Co. Taken from the "National Intelligencer."

16Meany, pp. 11-12.

17Callahan, American Relations in the Pacific and Far East. Baltimore; Johns Hopkins Press, p. 16.

18Ibid., pp. 20-21.

19Callahan, American Relations, pp. 21-22.

John Jacob Astor was long engaged in this trade, and in 1810, for the purpose of securing such a control of that trade as to lessen the danger of rivalry by the Northwest Fur Company, he organized the Pacific Fur Company,[20] and planned a permanent American settlement at the mouth of the Columbia River. He had a comprehensive plan, says Washington Irving, of establishing friendly relations between the Hawaiian Islands and his intended colony. He expected that his colony would for a time have to draw supplies from the islands, and he even had a vague idea of some time or other getting possession of one of these islands as a rendezvous for his ships, and a link in the chain of his commercial establishments.[21] In sending the *Tonquin* by sea to the Columbia, he had the partners stop at the Sandwich Islands and make arrangements for building up a trade between them and the American Fur Company. They found the king inclined to trade with the whites of the Northwest. He had already encouraged twenty or thirty Europeans and Americans to settle in his islands.[22]

From the Hawaiian Islands, the *Tonquin* took to the colony at Astoria a supply of hogs, several goats, two sheep, and a quantity of poultry. Twelve Kanakas enlisted for three years for service of the company at Astoria, for which they were each to receive board and clothing and $100 in merchandise.[23] In the following year the *Beaver* was sent out by Astor. It, too, touched at the Sandwich Islands and carried supplies to Astoria. Twelve more islanders were taken to the continent.[24] On March 6, 1813, the *Lark* was sent out from New York, but was wrecked in a storm off the Hawaiian Islands. Though unfitted for navigation, the ruined ship drifted ashore and part of the crew was saved. The king drove a hard bargain with the stranded survivors, offering to keep them until they could leave the islands in exchange for the wrecked vessel and its cargo.

Mr. Hunt, the manager at Astoria, visited Honolulu on his way back from China, where he had gone to dispose of furs. There he heard of war between the United States and Great Britain. Hurrying on to Astoria, he found the partners anxious to sell out to the Northwest Company, a Canadian concern. They, too, had heard of the war, and feared the approach of the English sloop of war *Raccoon*. Hunt sailed at once for Hawaii to obtain a ship on which to carry away as much as possible of Astor's property at the mouth of the Columbia. At the islands he came across the captain and crew of the wrecked *Lark*, and buying a brig for $10,000, he used these men to navigate it back to Astoria. Arriving, he found that

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[20] Ibid., pp. 30-31.
[21] Irving, Astoria, p. 56.
[22] Ibid., p. 62.
[23] Irving, Astoria, pp. 62-63.
[24] Ibid., pp. 269-272.

the sale of the factory to the Canadian company had been consummated in his absence.[25]

From this time onward, American vessels, in their voyages to and from the Northwest Coast, frequently stopped at the Sandwich Islands for refreshments and repairs, and for the restoration of health to their crews, who became worn out by the long and stormy passage around Cape Horn and by the watchfulness and anxiety in guarding against the Indians when the ships were trading along shore.[26] Honolulu became a depot for fresh supplies, repairs, and after whaling began, for the temporary storage of whale oil.[27] In 1820 the United States appointed John C. Jones as agent for commerce and seamen at this port.[28]. In 1826 there were 2,000 American seamen at Honolulu alone, and for their protection the Secretary of the Navy, in 1827, recommended that six vessels be kept in commission in the Pacific.[29] In 1829 it was estimated that in one year Hawaii was visited by one hundred American vessels with cargoes valued at five million dollars.[30]. To show to what extent the islands had developed for repairing vessels in the Northwest trade, in 1831 two ships of 180 and 190 tons were hove down, caulked and coppered in five days.[31]. The number of ships touching at Honolulu from 1824 to 1831 was as follows:

	1824	1825	1826	1827	1828	1829	1830	1831
American	66	56	88	82	116	108	100	83
English	17	20	13	18	31	27	26	30

Direct Trade Between Hawaii and the Northwest

While this carrying trade and Indian traffic were going on, both the Hawaiian Islands and the Northwest Coast were being settled to some extent by permanent white colonists. By 1840 there were between 150 and 250 English and American residents of Honolulu alone.[32] There were a number of whites outside of this town. The Oregon country contained about a hundred families in the same year.[33] Considerable trade

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25Ibid., pp. 358-361.

26North American Review, 1816, Vol. 3, p. 42. Boston; Wells and Libby,

27Callahan, American Relations in the Pacific and Far East. Footnote, p. 39. Baltimore. Johns Hopkins' Press.

28Ibid., p. 39.

29Ibid., p. 40.

30Ibid., p. 41.

31McCulloch, Commercial Dictionary, 1841. Philadelphia, Thomas Wardle, 15 Minor St. 1841.

32McCulloch, Commercial Dictionary, 1841. Philadelphia, Thomas Wardle, Minor St., 1841.

33Bancroft, Hubert Howe; Bancroft's Works, Vol. XXIX., History of Oregon, Vol. I., p. 161. San Francisco: The History Company, Publishers. 1886.

between Oregon and Hawaii developed, the former sending its wheat, beaver skins, salmon, and lumber to the islands and receiving in return sugar, molasses, tea, coffee and commodities brought there from China, England and the Eastern United States.[34] Captain Belcher speaks of sawed planks and salmon as being the principal export in 1839 from Fort Vancouver (on the Columbia River) to the Sandwich Islands.[35] The following were the value of cargoes landed at Honolulu, a large part of which was from Oregon: In 1839, $210,000; in 1840, $235,850; in 1841, $469,250.[36]

As an example of the business carried on, there appeared in the Honolulu Polynesian of August 31, 1844, an advertisement of Albert E. Wilson, general commission merchant, Astoria, mouth of the Columbia River, offering to buy the products of the Hawaiian Islands and to sell merchandise and products from the Oregon country. On September 28, 1844, the same paper states: "The riches of the Sandwich Islands lie in the soil. A continent lies near us, rapidly filling with Anglo-Saxon sons. Sugar, coffee, indigo, tobacco, cotton and cabinet lumber will be the staple articles" the islands would produce for export, along with yams, arrow root, hemp and raw silk. "These islands will become the West Indies of the Northern Pacific; the trade will naturally go forward to Oregon, and if we do not hasten operations the demand will exceed our means of supplying it." The existing trade between the Columbia River and the Sandwich Islands was evidenced by an advertisement in that week's paper of the arrival for sale of 107,000 feet of lumber, 300 barrels of superior flour, 300 barrels of Columbia River salmon, etc., by the barque *Brothers*.[37]

Mention should be made of the importation of Kanaka laborers from Hawaii, especially in the earlier days. They were of great service in doing the work requiring little skill, but were even employed in boatbuilding and in the saw mills. The islanders, however, suffered intensely from the colder climate of the Oregon country.[38] Coral brought from the Sandwich Islands was used in constructing the "fort" established at Vancouver on the Columbia River and in building chimneys for the settlers.[39]

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[34]E. White, Sub Agent of Indian Affairs, Report of, to the Secretary of War (Nov. 4, 1844). Senate Documents, 1st Session 29th Congress, Vol. I., 1845-6. Serial No. 470. Doc. 1, p. 623.

[35]Belcher, Capt. Sir Edward: Narrative of a Voyage Round the World, performed in H. M.'s ship Sulphur. London: Henry Colburn, Publisher. Vol. I., p. 296. 1843.

[36]Reports of Committees, 27th Congress, 3rd Session. Report No. 31, p. 37.

[37]Littell's Living Age, Vol. 5. Boston, T. H. Carter & Co. 1845. Pp. 165-67.

[38]Ross, Alexander, Adventures of the First Settlers on the Oregon and Columbia River, p. 74. London: Smith, Elder & Co., 1849.

[39]Vavasour, M., Report of, On the Oregon Country, March 1, 1846, to Col. Halloway, Commissioner of Royal Engineers, Canada. In University of Washington Library.

The Whale Fishing

The whale fishery forms an interesting chapter in the history of the Hawaiian Islands and likewise of the Northwest Coast. But, as I am trying to point out only the points of contact between the two regions, this particular industry can be treated only in so far as it connects them.

As early as 1823, there were counted in the port of Honolulu on one day forty whaling vessels.[40] The newspaper referred to above mentioned that the American whaling shipping that touched at the Hawaiian Islands from January to October 10, 1844, amounted to $9,621,960 with 176 vessels and 5,407 men.[41] The entire whaling fleet of all nations in the Pacific employed 675 vessels, 197,187 tons, 40,000 men. Four hundred and fifty of these vessels were engaged in whaling on the coast of Oregon and the Sandwich Islands.[42] The amount of intercourse between these two regions resulting from this industry can be better imagined than reduced to figures.

The Missionaries

In 1820 the American Board of Commissioners for Foreign Missions (supported by the Congregational, Presbyterian and Dutch Reformed Churches) sent out missionaries to the Hawaiian Islands, and the work was eminently successful. By 1839 the missionaries had increased so in numbers and influence that they were in complete control of the islands. They owned considerable land and cultivated plantations.[43] A school was established.

In 1836 the same board planted a mission at Walla Walla, and the next year another at Lapwai among the Nez Perces, and then took over the Methodist mission at The Dalles. "In 1838 the mission church at Honolulu sent a contribution of $80 and ten bushels of salt to the Oregon mission. The next year, the same church made a much more important contribution in the form of a small printing press, with type, ink, paper and other appliances to the value of $450. E. O. Hall, an experienced printer with the Hawaiian mission, accompanied the press to Oregon in order to give his invalid wife a change of climate. The press was sent to Lapwai, where Mr. and Mrs. Hall remained until the spring of 1840. Mr. and Mrs. Spalding learner to set type and to print. Soon the Gospels and some hymns were published in the Nez Perce language.

40Callahan, American Relations in the Pacific and Far East. Baltimore, Johns Hopkins Press, p. 39, footnote.

41Littell's Living Age, Vol. 5. Boston: T. H. Carter & Co., p. 165-167. 1845.

42Senate Documents, 29th Congress, 1st Session. Volume IV., 1845-46. Doc. No. 174. p. 4.

43Belcher, Narrative of a Voyage Round the World. London: Henry Colburn, Pub., 1843. Vol. I., p. 276.

This was the first printing in the Pacific Northwest. This old press is now a cherished relic in the museum of the Oregon Historical Society at Portland."[44]

During all these early years the families in the Northwest heard very infrequently from their homes on the Atlantic Coast. The mail was brought from the East around Cape Horn and via the Sandwich Islands to Fort Vancouver. The trip, which required at least six months, was made by the Hudson's Bay Company's boat once a year.[45]

Diplomatic and Strategic Questions

In 1838 a bill was introduced into Congress to authorize the President to occupy the Oregon territory. Immediately a select committee, with Mr. Linn as chairman, was appointed to report on the advisability of making an effort to hold the Northwest country. After careful and extended investigation, the committee reported June 6, 1838, giving a most glowing report of the resources of the Pacific territory. It pointed out that commercially, at least, Great Britain was beating us out. On the north bank of the Columbia River the Hudson's Bay Company's "sawmill cuts 2,000 to 2,400 feet of lumber daily; employs 28 men, chiefly Sandwich Islanders, and 10 yoke of oxen; depth of the water four fathoms at the mill, where the largest ships of the company take in their cargoes for the Sandwich Islands' market." The report points out the advantageous position of the Hawaiian Islands in the China trade, and pessimistically predicts that they will fall into the hands of the English.[46]

Once awake to the importance of our holding the Oregon country and annexing the Hawaiian Islands, leaders in Congress brought their powers of argument to bear to bring the government to act. If we didn't get those countries, England would, and then where would our whaling be? Committee reports complain that our whaling was injured because we had no domestic port on the Pacific Coast and had to submit to the exactions of the Hawaiian government.[47] H. A. Pierce wrote a report to the Hon. Lewis F. Linn, dated Boston, May 1, 1842, in which he explained that the Hudson's Bay Company was trying to get all of Oregon, Mexican California and the Sandwich Islands. He asserted that a branch had been established at San Francisco and at Honolulu, and that other

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[44]Meany, Edmond S., History of the State of Washington. New York: Macmillan Company, p. 115.

[45]Myron Eells: "Father Eells." Boston and Chicago: Congregational Sunday School and Publishing Society. Chapter III.

[46]Senate Documents, 25th Congress, 2nd Session. Vol. 5. Document No. 470. June 6, 1838.

[47]Senate Documents, 29th Congress, 1st Session. Vol. IV., 1845-46. Doc. 176, p. 4.

branches were contemplated in California and Hawaii.[48] The report of the Comimttee on Military Affairs, January 4, 1843, favored active settlement of the Oregon country, a military post at the mouth of the Columbia, and the protection of the Sandwich Islands from English aggression.

The government took active measures for the taking of Oregon and finally it became a part of the United States. But, though we had many excuses for annexing the Sandwich Islands, interest in them lagged and a half century passed before they were taken. Meanwhile Oregon was rapidly settled and her people began to look eastward across the Rocky Mountains instead of southward to Hawaii. However, as late as 1854, the territory declared in a joint resolution that great advantage would result to that territory and to the United States of America by the annexation of the Sandwich Islands.[49]

In conclusion, one is prone to wonder why after such a bright beginning the intercourse between the Pacific Northwest and the Sandwich Islands should have declined and entirely fallen off about 1850. I wish to suggest the following reasons:

(1) The fur trade between the American coast and the rest of the world died out in 1825 with the invention of the silk hat.

(2) The whale fisheries died out by 1845 through the exhaustion of the supply.

(3) The development of overland transportation routes from the East to the Northwest Coast.

(4) The rapid settlement of California after the discovery of gold in 1848 made San Francisco the chief trading point on the Pacific Coast of America. Hawaii thereafter traded with California instead of the Oregon country.

GUY VERNON BENNETT.

[48]Reports of Committees, 27th Congress, 3rd Session. 1842-3. Vol. I. House of Representatives. Report No. 31, p. 61.
[49]Meany, History State Washington, p. 152.

BOOK REVIEWS

ECONOMIC BEGINNINGS OF THE FAR WEST. By Katharine Coman. (New York, The Macmillan Co. Vol. I. Explorers and Colonizers, pp. XIX., 418. Vol. II. American Settlers, pp. VI., 450. $4.00 net.)

These volumes by a well known and competent worker and author in American industrial history are the outcome of four years' work under the patronage of the Carnegie Foundation for the Advancement of Teaching, and bear abundant evidence of the Foundation's wisdom in selecting Miss Coman for the undertaking. The first volume is divided into two parts; the first opens with a short chapter dealing with the explorers and concludes with a much longer one tracing in broad outline the colonization of New Mexico, Louisiana, Texas and California. The second part of the volume is devoted to exploration and the fur trade. The story of Russian, Spanish, English, and American exploration is graphically and well set forth and particular attention is given to John Ledyard, Lewis and Clark, and Pike. Then follows an excellent account of the fur trade, in which separate chapters are devoted to Astoria, Fort Vancouver, and the rivalry of the American Companies. Volume two is made up of three sections, viz: "The advance of the settlers," "The Transcontinental Migration," and finally the struggle between "Free land and free labor." The settlement of Louisiana, Missouri Territory, the opening of the Santa Fé trade, and the colonization of Texas, are grouped under the first heading and nowhere else can the essentials of the economic beginnings be more readily found. The acquisition of Oregon, the Mormon migration and the conquest of California make up the Transcontinental Migration, and in these chapters Miss Coman makes a distinct contribution to our knowledge of these fields. In the last part, dealing with free land and free labor, more familiar ground is covered, but the elements of conflict are put vividly before the reader. The two volumes are very thoroughly done and western readers especially are deeply indebted to Miss Coman for an interesting, scholarly, and suggestive narrative wholly devoid of local prejudice and partisanship; a narrative which shows a mastery of local materials and color, but avoids the narrowness of provincialism. The illustrations, numbering nearly one hundred, are wisely chosen. Notes at the end of each volume cite the materials used and open the way for

the reader who wishes to pursue the story in greater detail. Typographically the volumes are up to the well known Macmillan standard.

EDWARD McMAHON.

NARRATIVES OF CAPTIVITY AMONG THE INDIANS OF NORTH AMERICA. (Chicago, The Newberry Library, 1912. 120 pp. $1.00.)

This bibliographical guide to narratives of Indian captivities comprises over three hundred titles of books and manuscripts on this subject in the Edward E. Ayer Collection of the Newberry Library. It serves as a valuable aid to research, since from sources such as these the historian gathers the details from which can be pictured the life of the American pioneer. The titles and collation are given with commendable fulness, particularly as contrasted with the inadequate descriptions often met with in similar lists. The work is arranged alphabetically by the name of author and an index is provided to the names of captives.

Several of the narratives in this list have a direct bearing upon the history of the Pacific Northwest. The richness of the Ayer Collection is shown by an exhibit of nine distinct editions of "A Narrative of the Adventures and Sufferings of John R. Jewitt, only Survivor of the Crew of the Ship Boston, during a Captivity of nearly three years among the Savages of Nootka Sound." CHARLES W. SMITH.

ACADEMY OF PACIFIC COAST HISTORY, PUBLICATIONS OF. Frederick J. Teggart, editor. (Berkeley, University of California, 1909-1911.)

This Academy has the great advantage of working with the H. H. Bancroft collections, now a part of the equipment of the University of California. Until his death on December 1, 1911, the venerable geographer George Davidson was a member of the editorial committee. The others were: Henry Morse Stephens, chairman; E. D. Adams, Herbert E. Bolton, Frederick J. Teggart, and Porter Garnett.

Volume I. contains seven papers, as follows: The San Francisco Clearing House Certificates of 1907-1908, by Carl Copping Plehn; The Official Account of the Portolá Expedition of 1769-1770, edited by Frederick J. Teggart; Diary of Gaspar de Portolá During the California Expedition of 1769-1770, edited by Donald Eugene Smith and Frederick J. Teggart; The Narrative of the Portolá Expedition of 1769-1770 by Miguel Costansó, edited by Adolph van Hemert-Engert and Frederick J. Teggart; The United States Consulate in California, by Rayner Wickersham Kelsey; Diary of Patrick Breen, One of the Donner Party, edited

by Frederick J. Teggart; Papers of the San Francisco Committee of Vigilance of 1851, I., edited by Porter Garnett.

Volume II. has the following five papers: The Portolá Expedition of 1769-1770, Diary of Vicente Vila, edited by Robert Selden Rose; Papers of the San Francisco Committee of Vigilance of 1851, II., edited by Porter Garnett; Expedition to San Francisco Bay in 1770, Diary of Pedro Fages, edited by Herbert Eugene Bolton; The Portolá Expedition of 1769-1770, Diary of Miguel Costansó, edited by Frederick J. Teggart; Expedition on the Sacramento and San Joaquin Rivers in 1817, Diary of Fray Narcisso Duran, edited by Charles Edward Chapman.

The bare list of those titles shows the importance of the publications to the history of California and to the Pacific Coast. The editorial work has been well done, the printing is excellent and there is no doubt that historians of the future years will lean upon these records so admirably preserved. It is hoped that the Academy will continue the work so well begun. There is certainly an abundance of materials needing the attention of experts like those who have given us these two volumes.

EDMOND S. MEANY.

THE VICEROY OF NEW SPAIN. By Donald E. Smith. (Berkeley, University of California Press, 1913. Pp. 192. $2.00.)

This is the second number in a new series called University of California Publications in History of which Professor H. Morse Stephens is editor. The first number in the new volume was "Colonial Opposition to Imperial Authority during the French and Indian War" by Eugene Irving McCormac.

The present work by an Assistant Professor of History and Geography in the University of California gives every evidence of being a scholarly and valuable addition to the literature that bears on the colonial period of the Pacific Coast. The extensive bibliographical citations reveal the wealth of materials in the Bancroft Collection of the University of California. New publications in this series will be awaited with interest.

OREGON PIONEER ASSOCIATION, Transactions of, for 1892. (Portland, the Association, 1912. Pp. 101.)

Ten years elapsed before this record was published. It is indeed welcome, for collectors of Northwestern History materials have long worried over that gap in the record of that fine organization. And there is a further reason why this pamphlet is welcomed in all libraries and collections: It contains the address by John Fiske given at Astoria during the

celebration of the one hundredth anniversory of the discovery of the Columbia River. When that address was given in 1892, Mr. Fiske believed the "Whitman saved Oregon" story. In that form the address was published in the Portland Oregonian of May 12, 1892. After that Mr. Fiske was led by W. I. Marshall of Chicago to make further investigations. These, in turn, caused him to revise his address and it is this revision that appears in the delayed pamphlet.

A discussion of the two versions of the Fiske address by Leslie M. Scott may be found in The Quarterly of the Oregon Historical Society, Volume XIII., Number 2 (June, 1912). Pp. 160-174.

EARLY OKANOGAN HISTORY. By William C. Brown. (Okanogan, Okanogan Independent, 1912. Pp. 27.)

In this neat and attractive booklet, Mr. Brown has told the story of the first settlement under the America flag in the area that has since become the State of Washington. That settlement was made by members of the Astoria party at the mouth of the Okanogan River on September 1, 1811. The centennial of that event was celebrated in a modest way and this little book resulted from the preparations for that celebration. Mr. Brown has here rendered the State a distinct and useful service. It would be a great boon to the cause of history in the Northwest if his example were followed by capable students and writers in other communities.

The cover-pages carry two important illustrations—a portrait of John Jacob Astor and a picture of the Hudson's Bay Company's fort that succeeded the Astor fort at the mouth of the Okanogan River.

LOOKING FORWARD, THE STORY OF THE UPPER SKAGIT. A supplement of the Concrete Enterprise, Concrete, Washington, 1913.

In this eighty-four page pamphlet, Editor Louis Jacobin tells something of the history and much of the ambitions of those who are developing the resources of the rich Skagit Valley. The work is profusely illustrated and is worthy a place in the archives of this rapidly expanding commonwealth.

SEATTLE CONTRASTS. By The Emblem Club of Bend, Oregon.

This is frankly an advertisement by the promoters of a new townsite in Oregon, but it is unique enough to merit mention. It contains no advertising whatever, except the very modest imprint of The Emblem Club as publishers. The book is a series of full-page pictures. The upper part of each picture is a modern view of some Seattle scene and the lower

part of that page is the same scene from two to thirty years before, as the case may be. In each case the contrast is wonderfully striking. As letter press explanation would be superfluous, it has been dispensed with and the fortunate owner of the booklet is permitted to allow the pictures to tell their own stories. It is hardly necessary to add that the pictures are worth saving to mark how the contrasts will increase as the city continues to grow.

THE LAND OF ICE AND SNOW, OR, ADVENTURES IN ALASKA. By Edwin J. Houston, A. M., Ph. D. (Philadelphia, The Griffith & Rowland Press, 1912. Pp. 412. $1.25.)

This is Volume VI. in The Young Mineralogist Series, the six volumes being undertaken to give young Americans some information about the geology and minerals in an attractive form. In writing this interesting story of Alaska the distinguished author avows the help he obtained from the writings of others, especially those by Major-General Greely.

WRITINGS OF JOHN QUINCY ADAMS. Edited by Worthington Chauncey Ford. (New York, The Macmillan Company, 1913. Vol. I., 1779-1796. Pp. 508. $3.50 net.)

This important set of works will have a distinct interest for readers in the Old Oregon Country. John Quincy Adams, Henry Clay, and Albert Gallatin were three statesmen who persisted in friendly services on behalf of Oregon from the Treaty of Ghent, 1814, to the end of each of their lives. This first volume carries the work only to 1796. It is hoped the editor will give ample space in subsequent volumes to the statesman's farseeing policy toward Oregon. The book is well made, bound in blue cloth, gilt top and has as frontispiece a fine reproduction of the Copley portrait of 1795.

A CHECK LIST OF AMERICAN EIGHTEENTH CENTURY NEWSPAPERS IN THE LIBRARY OF CONGRESS. By John Van Ness Ingram, compiler. (Washington, Government Printing Office, 1912. Pp. 186.)

A LIST OF NEWSPAPERS IN THE VIRGINIA STATE LIBRARY, CONFEDERATE MUSEUM AND VALENTINE MUSEUM. By Mrs. Kate Pleasants Minor and Miss Susie B. Harrison, compilers. (Richmond, Virginia State Library, 1912. Pp. 425.)

NEWSPAPER FILES IN THE LIBRARY OF THE STATE HISTORICAL SOCIETY OF WISCONSIN, annotated catalogue of. Compiled by Ada

Tyng Griswold, M. L. (Madison, Published by the Society, 1911. Pp. 591.)

Of these three works the last named interests the Northwest. The book is carefully compiled, adequately indexed and shows a wealth of newspaper materials in possession of that Society. Turning the pages to the State of Washington, one finds fourteen cities represented by thirty papers. Oregon has seven cities listed with fifteen papers. In neither of thse cases are the files of papers complete, but it is evidence of wide interest that even the fragmentary sets are so well cared for.

Other Books Received

BAIKIE, REV. JAMES, F. R. A. S. The Sea-Kings of Crete. (London, Adam and Charles Black, and New York, The Macmillan Company, 1913. Pp. 274.)

BEER, GEORGE LOUIS. The Old Colonial System, 1660-1754. (New York, The Macmillan Company, 1912. Vol. I., pp. 381; Vol. II., pp. 382. $4.00 net.)

BOTSFORD, GEORGE WILLIS, PH. D., AND LILLIE SHAW. A Source Book of Ancient History. (New York, The Macmillan Company, 1912. Pp. 594. $1.30 net.)

CONGRESS, LIBRARY OF. Reports of Librarian and of the Superintendent of the Library Building and Grounds. (Washington, Government Printing Office, 1912. Pp. 235.)

CONNECTICUT HISTORICAL SOCIETY. Original Distribution of the Lands in Hartford Among the Settlers, 1639. (Hartford, the Society, 1912. Pp. 715.)

GOODSPEED, EDGAR J., AND SPRENGLING, MARTIN, editors. A Descriptive Catalogue of Manuscripts in the Libraries of the University of Chicago. (Chicago, The University of Chicago Press, 1912. Pp. 128.)

HERBERMANN, CHARLES GEORGE, LL. D., editor. Historical Records and Studies. (New York, The United States Catholic Historical Society, 1913. Vol. VI., Pt. II. Pp. 327.)

HINKLEY, JULIAN WISNER. A Narrative of Service with the Third Wisconsin Infantry. (Madison, Wisconsin History Commission, 1912. Pp. 197.)

INNES, ARTHUR D., editor. A Source Book of English History for the Use of Schools; Volume I., 597-1603 A. D. (Cambridge, Eng-

land, University Press, and New York, G. P. Putnam's Sons, 1912. Pp. 383.)

JAMES, HERMAN GERLACH, J. D., PH. D. Principles of Prussian Administration. (New York, The Macmillan Company, 1913. Pp. 309. $1.50 net.)

MUNRO, WILLIAM BENNETT. Should Canadian Cities Adopt Commission Government? (Kingston, Ontario, Queen's University, 1913. Pp. 13.)

OGG, FREDERIC AUSTIN, PH. D. The Governments of Europe. (New York, The Macmillan Company, 1913. Pp. 668. $3.00 net.)

SWEM, EARL G. A List of Manuscripts Relating to the History of Agriculture in Virginia, collected by N. F. Cabell, and now in the Virginia State Library. (Richmond, Virginia State Library, 1913. Pp. 20.)

THWAITES, REUBEN GOLD, editor. Civil War Messages and Proclamations of Wisconsin War Governors. (Madison, Wisconsin History Commission, 1912. Pp. 319.)

NEWS DEPARTMENT

Meeting of Learned Societies

The Pacific Association of Scientific Societies will hold its third annual meeting at the University of California, April 10, 11, 12, 1913. The Pacific Coast Branch of the American Historical Association will, however, not hold a meeting, as it has changed its annual meeting time to November. The Pacific Association is composed of the following constituent societies:

The Technical Society of the Pacific Coast, The Cordilleran Section of the Geological Society of America, the Seismological Society of America, Pacific Coast Branch of the American Historical Association, The Pacific Slope Association of Economic Entomologists, Pacific Coast Palaeontological Society, The Philological Association of the Pacific Coast, The Cooper Ornithological Club, California Academy of Sciences, Biological Society of the Pacific Coast, California Section of the American Chemical Society, Astronomical Society of the Pacific, The Geographical Society of the Pacific, Puget Sound Section of the American Chemical Society, California Section of the Archælogical Institute of America.

The association represents a membership of about 2,400. Eleven of the fifteen societies will hold annual meetings at Berkeley; and the San Francisco Section of the American Mathematical Society will hold its annual meeting at the same time and place.

From the University of Washington Professors, Kincaid, Benham, Sage, Trumbull, Neikirk, Hart, Weaver and Bowman will attend their respective societies and the General Session of the Pacific Association on Saturday evening, April 12th. From the State College at Pullman Professors McCully and Shaw will attend.

Provincial University of British Columbia

Historians and educators are keenly interested in the progress of the Provincial University of British Columbia. Stray news items declare that a large amount of public lands has been set aside for the partial support of the institution and a money appropriation of $5,000,000 has been made to establish it on a substantial basis. The site has been chosen at Point Gray near Vancouver. Now comes the information that the authorities have engaged Franklin Fairchild Wesbrook as an important member of the educational staff. Doctor Wesbrook is now Dean of the College

of Medicine and Surgery of the University of Minnesota. He was born in Ontario in 1868 and by this contemplated move he becomes once more a Canadian after working out a splendid career in his high profession as an American. The educators of the Pacific Northwest will certainly ignore the boundary line in extending to him and his colleagues a hearty welcome in this new field of scholarly labor.

History in the High Schools

Recently the State Board of Education removed the restriction making a year of American history compulsory in the high schools. That subject was placed on a par with the other history subjects. The principals of the Seattle high schools have recently readjusted the programme so as to throw medieval with ancient history for one full year of work. Modern history is made one full year and absorbs the course in English history. American history is given one-half year and the balance of the year is to be devoted to Pacific Coast history and problems. The four-year programme is then rounded out with civics and economics, each one-half year. This scheme is planned for next year. Its progress will be watched with interest.

History Pageant

The students of Broadway High School, Seattle, gave an unusually interesting programme on April 4, 1913, consisting of a history pageant. The auditorium was packed with more than 2,000 people. The programme embraced scenarios relating largely to Pacific Coast history, such as the Lewis and Clark expedition, Marcus Whitman, Indians, early settlers and so on. The students were aided by their instructors and all were warmly congratulated on their pronounced success.

Visitor From Michigan

Richard Hudson, Professor Emeritus of History, University of Michigan, after spending the winter in California, paid a visit to the University of Washington on his way home. He was graduated from the University of Michigan in 1871, was a member of the history staff from 1879 to 1911 and was Dean of the Department of Literature, Science, and Arts from 1897 to 1907. While still associated with the University of Michigan his present address is 63 Boston Boulevard, Detroit, Michigan. On his visit to the Pacific Coast he met many of his former students.

NORTHWESTERN HISTORY SYLLABUS

[The aim of this department is to furnish outlines that will aid those who wish to study the subject systematically. It is expected that its greatest use will be as a guide for members of women's clubs, literary societies, and classes in colleges or high schools. It will be a form of university extension without the theses and examinations necessary for the earning of credits toward a degree.]

V. Explorations by Land

1. The Stoney or Shining Mountains.
   - a. Jonathan Carver's Book.
   - b. The Name of Oregon.
   - c. Bryant's Thanatopsis.
2. Alexander Mackenzie.
   - a. Discovery of the Mackenzie River, 1789.
   - b. Expedition to the Pacific, 1792-1793.
   - c. He finds but leaves a large river.
   - d. His inscription on a rock.
   - e. Humane treatment of his Indian guide.
   - f. Value of his exploration.
3. Lewis and Clark Expedition.
   - a. Its evolution
     - i. Jefferson's letter to George Rogers Clark, 1783.
     - ii. John Ledyard.
     - iii. Andre Michaux and Meriwether Lewis, 1792.
     - iv. Jefferson's personal activity.
   - b. Organization of the expedition.
   - c. Letter of unlimited credit from Jefferson.
   - d. Impulse added by Louisiana Purchase.
   - e. First winter on the Mississippi, 1803-1804.
   - f. Second winter at Mandan Indian village, 1804-05.
   - g. Sacajawea.
   - h. Crossing the mountains.
   - i. Descending to the Pacific.
   - j. Third winter at Fort Clatsop, 1805-1806.
   - k. Return trip.

l. Value and extent of explorations.
m. Subsequent careers of explorers.
n. Account of the journals and their several editions.

4. Astoria.

a. Experience of the Winship Brothers.
b. John Jacob Astor.
c. Pacific Fur Company organized.
d. Race with the Northwest Company.
e. Voyage of the Tonquin.
f. Fort Astoria begun, 12 April, 1811.
g. Loss of the Tonquin.
h. Expedition by Land.
i. Interior forts established.
j. Astoria sold to the Northwest Company.
k. Name changed to Fort George.
l. Presence of British sloop-of-war Raccoon.
m. Status of fort at end of war of 1812.

BIBLIOGRAPHY.—There is much literature bearing on the subjects included in this syllabus. Almost any library in the Pacific Northwest will be found to contain some helpful books. The following citations comprise a few suggestions as to the books most surely accessible.

BANCROFT, HUBERT HOWE. Works of. Vol. XXVII. (Northwest Coast, Vol. I.), Chapter XXI., pp. 666-703; on Mackenzie; Vol. XXVIII., pp. 1-254, on Lewis and Clark, and Astoria. The index in Vol. XXVIII. will lead to the topics as studied.

CARVER, JONATHAN. Three Years' Travel Through the Interior Parts of North America. One of the more frequent editions of this rather rare book was published by Key & Simpson in Philadelphia, 1796. On page v. the famous word he originated is spelled "Oregan."

COMAN, KATHARINE. Economic Beginnings of the Far West. This is a new work in two substantial volumes by the talented professor of Wellesley College. The books should find their way at once into every library of the Northwest. The ground covered by the above syllabus is adequately treated from the point of view of the economist. Consult the index, using such words as "Mackenzie," "Lewis," "Astor," "Astoria," or others as the needs arise. These books are published by The Macmillan Company, New York, at $4.00 for the pair.

IRVING, WASHINGTON. Astoria. This American classic is found in almost every library. If access is also to be had to General H. M. Chittenden's authoritative work, "The American Fur Trade of the Far West," the reader will find, Vol. I., pp. 239-246, a splendid defense of Irving's book "Astoria."

LEWIS AND CLARK. Journals of. There are several standard editions of this primary source. And there are also a number of books about the expedition, in which are extracts from the original journals. The journals themselves will be found most helpful and interesting.

MACKENZIE, ALEXANDER. Voyages from Montreal on the River St. Lawrence Through the Continent of North America to the Frozen and Pacific Oceans, in the Years 1789 and 1793. Like the Carver book and the Lewis and Clark journals this is a primary source book. It is to be found in a number of the libraries of the Northwest and should be consulted when available.

MEANY, EDMOND S. History of the State of Washington. Pages 45 to 54, and 80 to 86, will aid the student and the footnote citations will lead to other works for more extended researches where needed.

SCHAFER, JOSEPH. History of the Pacific Northwest. A valuable treatise of the ground covered will be found in this book from page 43 to page 114.

WINSOR, JUSTIN. Westward Movement. The great librarian of Harvard has given us a fine book with this title. He quotes from Carver and other sources on the topics included in this syllabus.

George Wilkes: History of Oregon, Geographical, Geological and Political. (New York, Colyer, 1845.)

[The reprint of this rare work was begun in the first number of the Washington Historical Quarterly and has been continued in portions of varying lengths. For the sake of librarians and others who have kept the files, the work is here continued.—*Editor.*]

These rocks are generally conical in form, and stand with their small ends up, like gigantic hen's eggs, deposited in the bed of the stream. They are all worn smooth by the continual friction of the current, and many of them are from ten to fifteen feet high above the water level. It is a most beautiful sight, as the water rushes down with resistless impetuosity, raging and foaming at the resistance made by these stubborn opponents in the very centre of its volume, to stand and gaze upon, from the commanding position on the northern bank. In all the whirl and turmoil of this watery Babel, I noticed a seal or two occasionally popping up their heads on the lee side of the rocks, as if to make an occasional inquiry as to the course of matters out of doors. The Indians have a remarkable tradition in relation to these Cascades. They say that about seventy or eighty years ago, they did not exist at all, but that the river ran smoothly on under the side of a projecting mountain, from which an avalanche slid into its bed, and drove it into its present fretful confine. This seems almost incredible, but appearances go strangely to confirm it. The river above the Cascades has all the appearance of being dammed up from below, and for many miles above, you will see stumps of trees in thick squads extending, at some points, more than a hundred yards from the shore along the bottom. These have all the appearance of timber that has been killed by the overflowing of water, as you will sometimes see it in a mill dam. The tops of some of them approach to within a foot or two of the surface, while in many places others rise above it for ten or fifteen. What is strongly confirmative of their report is the fact that you can find no such appearances at any other point on the river. It is certainly beyond dispute, that these trees could ever have grown there, and in absence of any other mode of accounting for the

phenomenon, we must come to the conclusion that they have been drowned by some great overflow, caused by a convulsion, or a lapse of nature. On the south bank, commencing at the foot of the Cascades, and extending half a mile up the river, and spreading between it and the mountains, is a space of level land, about three hundred yards wide, which is covered with pine, and is elevated, at low water mark, some fifty or sixty feet. Among these pines, scattered over the surface of the ground, you will see numbers of these loose rocks, a portion of which have tumbled into the flood. It is also worthy of remark, that the pines growing here are all young trees, none being more than a foot in diameter.

The portage here is about half a mile, and is made on the north bank going up, and on the south bank coming down. The boats, however, are not taken out of the water and carried around as they are at the Falls, but are drawn along by ropes extending to the bank, and in some places are lifted over the rocks. The Cascades form another great salmon fishery. The Indians have speculated and practically experimented upon the doctrines of internal improvement in application to this object, by making artificial channels by an ingenious arrangement of the loose rock, so as to form a number of natural canals, into which the great body of the fish find their way in passing up the river, when they are taken with great ease.

The Cascades are a very important point of the Oregon territory in a business point of view. All the commerce and travel up the river are compelled to pass them, and to make this portage. There is fine grazing, fine timber, some good soil, and an incalculable amount of water power in the immediate vicinity. The piece of level land I have already alluded to as lying on the south bank would form a fine situation for a small town or a farmer's residence. The rapids below the Cascades extend down about three miles or more, and offer almost insurmountable impediments to navigation at low water, especially to boats ascending the stream. It requires, perhaps, a full day's time to pass from the foot of the rapids to the Cascades with a loaded boat. Portions of the loading have to be taken out and carried a few yards, at some two or three different points. In descending the river the Hudson's Bay Company always pass through them without unloading, and their mode of passage is very descriptively called "jumping the rapids." From the Cascades to Cape Horn (a perpendicular wall of rock about five hundred feet high, and running along the bank of the river for the space of half a mile on the north side) is twenty miles; and down to this point the mountains continue to be tall, and to run close to the margin of the stream. On the sides of these, both above and below, there are many beautiful waterfalls. There is one in particular, just above Cape Horn, formed by a considerable mountain stream,

whose whole volume falls in one perpendicular pitch of five hundred feet amid the caverns of the rocks.

At Cape Horn, which is midway between the Cascades and Vancouver (a distance of forty miles), you can perceive the mountains dwindle rapidly into hills, and what remains of them when you arrive within ten miles of the fort, turn off abruptly from the river on both sides, almost at right angles, and leave, spreading from its banks towards the sea, level, yet high districts of fertile country, many miles wide, covered with an immense body of pine, fir and white cedar timber. On the north bank, this strip of country runs some distance below Vancouver, and on the south it stretches to the Willamette. The Willamette is a fine river entering the Columbia five miles below Fort Vancouver, and running nearly in a southeasterly direction from the parent stream. This course, aided by a slight southern inclination of the great river, immediately after receiving it, forms a triangle, the point of which is formed at the junction, and the base of which extends about five or six miles up the banks of both rivers until it reaches an equilateral breadth. This is low bottom prairie covered with scattering ash and cottonwood. It is overflown every summer, and forms an exception to the high but level land, which I mentioned as stretching along the shore for twenty or thirty miles above. On the north side of the Columbia, in this lower region, the soil is rich, but gravelly; on the south side it is richer still, and is spread upon a substratum of yellow clay.

On the tenth of November, I arrived at Vancouver and could scarcely believe my eyes, when on approaching it, I beheld moored securely in the river, two square rigged vessels and a steamboat. My very heart jumped as I set eyes on these familiar objects, and and for the first time in four months, I felt as if I had found a substantial evidence of civilization. The impressions of the refinements of the mission, and the peculiarly domestic comforts which the excellent ladies attached to the establishments spread around them, were as nothing compared with the yards and masts of these coursers of the ocean.

The river at Fort Vancouver is from 1,600 to 1,700 yards wide. The Fort, which is the principal establishment of the Hudson's Bay Company in Oregon, is on the north bank of the Columbia, 90 miles distance in a direct line from the sea. It stands a considerable distance back from the shore, and is surrounded by a large number of wooden buildings (among which is a schoolhouse), used for the various purposes of residences and workshops for those attached to the establishment. This colony is enclosed by a barrier of pickets twenty feet in height. On the bank of the river, six hundred yards farther down, is a village somewhat larger in extent (containing an hospital), which is allotted to the inferior servants of the

station. Two miles further down the river are the dairy and piggery, containing numerous herds of cattle, hogs, sheep, etc., and about three miles above the fort are grist and saw mills, and sheds for curing salmon. Immediately behind it is a garden of five acres, and an orchard filled with peach, apple, fig, orange, lemon, and other fruit trees, and containing also grapes, strawberries and ornamental plants and flowers. Behind this, the cultivated farm, with its numerous barns and other necessary buildings, spreads off towards the south. The land appropriated here for the purposes of farming is from 3,000 to 4,000 acres, and is fenced into beautiful fields, a great portion of which has already been appropriated to cultivation, and is found to produce the grains and vegetables of the States, in remarkable profusion. To cultivate these immense farms, and attend to the duties arising from the care of flocks, the drudgery of the workshops, the heavy labor attendant upon hewing timber for the saw mills, the British residents do not hesitate to press into their service the neighboring Iroquois, and even to avail themselves of human transplants from the Sandwich Islands; many of the natives of which are already here working in gangs for the benefit, and at the direction of this shrewd and able company.

On my arrival I was received with great kindness by Doctor McLaughlin and Mr. James Douglass, the second in command. They both tendered me the hospitalities of the fort, which offer, it is scarcely necessary to say, I accepted willingly and with pleasure. Dr. McLaughlin is the Governor or Chief Factor of the Hudson's Bay Company, a situation most difficult and arduous in its duties, and requiring most consummate ability in the person aspiring to fill it. The Hudson's Bay Company have been most fortunate in their selection of Doctor McLaughlin for this important trust. Possessed of a commanding person, a refined, benevolent and amiable manner; owning extensive acquirements drawn from study, travel and intercourse with mankind; a profound knowledge of human nature, and withal a firmness that ensures obedience and respect, he is peculiarly qualified to protect the important interests of this powerful company, and to control its wayward servants, while thus far removed from the reach of other civil authority. Doctor McLaughlin is upwards of six feet high, and over sixty years of age. In person he is robust, erect, and a little inclined to corpulency, one of the natural results of contentment and repose. The clear flush of rosy health glows upon his cheeks, his eye still sparkles with youthful vivacity while he is in conversation with you, and his fine head of snow white hair adds not a little to the impressiveness of his appearance. His hospitality is unbounded, and, I will sum up all his qualities by saying that he is beloved by all who know him.

Mr. Douglass is also upwards of six feet, and about forty-five years

of age; he is likewise inclined to be corpulent, and his hair is also gently receiving its sifting from the salt of Time. He is, like his superior, a man of accomplished manners and great business habits. He came to America in his boyhood, entered the service of the H. B. Company, immediately on his arrival, and has remained in it ever since.

The *modus operandi* of this wonderful corporation is remarkable for the perfect accuracy of its system. A code of established rules, embracing within its scope the chief Factor and the meanest servant, is the inflexible rule which governs all. Every man has his allotted department to fill, and his regular tasks to do, and he is held responsible for the faithful performance of that and nothing more. A system of far sighted policy is brought to bear upon the management of every department, whether it be the trapping of a territory, the transplanting of natives, the reinforcement and supply of any of their numerous forts, the occupation of a point, or the assumption of a privilege.* A regular price is set upon everything, and it is labor thrown away to attempt to underbid it. Their goods are all of a most superior kind, and it is no less a rule to sell them at reasonable rates than it is to have them good. Vancouver is the grand depot of all the other forts of Oregon, and it is likewise the grand magazine of their supplies. The vessels that bring the comforts of other climes in at the mouth of the Columbia, here unload their freight, and the fertile valley of the river yields up its abundant stores at the slightest summons of their wants.

Their mode of transportation, and the carriage of their goods from place to place, is peculiar, and worthy of mention. They pack all their goods in uniform lots, of one hundred pounds each, and their boats being all of one size and form, are consequently all loaded alike. When they make portages, in ascending or descending the stream, an established rule, which on no account must be departed from, directs the number of packages to be taken out to lighten the craft, and this direction varies according to the navigation of the place. This regulation ensures the safety of every expedition, and prevents many losses and dangers that would otherwise arise out of the indiscretion and daring of the boatmen. A few years ago, a party of eight of the company's servants were descending the river in a boat, and when they came in contact with the Cascades, and were about landing to make the portage, according to custom, one of the party proposed, as they were anxious to arrive at home, that they should run through them. The proposal, though startling at first, was gradually assented to by all of the party but one. This was an old pilot, who had been in the Company's service for a number of years, and who was well acquainted

*A long description of the different trading posts belonging to the H. B. Co. has been left out, in consequence of the previous supply of that information in the demonstration and title in the Geographical sketch.

with all the dangers of the passage. He held out stubbornly against their united wishes, until accused of cowardice, when he relinquished his opposition, and partly to vindicate himself from the charge, and partly out of spite to their reckless folly, determined to give them a chance of proving his correctness by actual experiment. The boat passed safely down for some two or three hundred yards, when multiplying dangers whirled and foamed on every side, and the increasing ones that roared and broke ahead, struck them suddenly with a panic, and for a moment they ceased to pull their oars. The pause was fatal. The edge of a whirlpool caught the tail of the boat, swung her broadside to the stream with sudden velocity, and rushing it in this helpless condition among the most fearful rapids, it was suddenly overwhelmed by the lashing waves, and all on board perished, save the old man who had opposed the experiment, and one other hand. The pilot seized on an oar, and was picked up with it firmly enclosed in his senseless grasp, at a spot four miles below the scene of the disaster. The other man, by an equally strange caprice of the current, was cast insensible upon the bank immediately below the Cascades.

Whatever may be the cause of complaint existing against the Hudson's Bay Company, in their treatment of former emigrants from the United States, the kindness of Dr. McLaughlin to this emigration has been very great. He furnished them with goods and provisions on credit, and such as were sick were sent to the Hospital free of expense, where they had the strict and careful attendance of Dr. Barclay, a skilful physician, and an excellent and humane man. The Chief Factor likewise lent the emigrants the Company's boats, to bring down such of the families and baggage as had been left at the Cascades by the advanced guard of the expedition, which had preceded me; and he also furnished them with the same facilities for crossing the river with their cattle, at Vancouver. Had it not been for the kindness of this excellent man, many of us would have suffered greatly, and I have no doubt that much injustice has been done him, by confounding his personal conduct with that of many of his countrymen. The policy of the Company toward the Indians has, it is true, been very seriously condemned, as will be seen by Mr. Spaulding's communication, embraced in Mr. Pendleton's report, but it is very questionable whether Dr. McLaughlin is justly chargeable with all the evils that have arisen out of it. It is certainly true that he has been in some measures the victim of misrepresentation; for I know of my own knowledge, that the Indians of Southern Oregon, and those tribes bordering on the Californian line, instead of being inoffensive and well-disposed, as described by Mr. Sapulding, are on the contrary hostile, thievish, and treacherous. This is something toward a general refutation. It is certain that the Doctor himself has uniformly

aided settlers, by supplying them with farming implements, and with seed grain, as a loan, to be returned out of the succeeding crop. He has even went so far as to lend them hogs, to be returned two or three years afterward, by their issue of the same age; to furnish oxen to break their ground, and cows to supply milk to their families. This certainly appears to me to be a very poor way to retard the settlement of the region, and to discourage adventurers who arrive in it.

A great deal has been said against him because he has refused to sell the cattle belonging to the Company, but those who have made these complaints have certainly reflected very little upon the subject, and are incapable of measuring the enlarged scope of the Doctor's policy. The supply of cattle and sheep of the settlements was very limited, and the great object has been to increase it. This could only be carried out by secure measures for their protection; and it would have been absurd, indeed, while the authorities of the Fort were denying themselves the luxuries of beef and mutton, to carry out this important object, if they should have sold cattle to those whose caprice might destroy them at pleasure. Besides, all the cattle, with the exception of a very few, were inferior Spanish animals, and it was a matter of necessity to improve the stock, by crossing them with those of the English breed. The same case existed with regard to the sheep, which were from California, but which, by repeated crossings, have at length not only been greatly increased, but have been improved nearly to the condition of full bloods.

The science of stock raising, the rough mountain men who were the first settlers from the States, did not understand. They could only understand that brutes were made to kill, and hence the dissatisfaction, and consequent complaint. Having improved his stock, and accomplished a proper degree of increase, the Doctor was ready enough to sell on reasonable terms, though, to say the truth, he did not find a very ready market. The business of sheep raising on a small scale is scarcely worth attention. The wolves are sure to kill the animals, unless they are continually attended by a shepherd, and carefully folded at night; and besides, woollen goods can be had here so cheap, that their fleece hardly pays for the care required to raise it, and the raising of horned cattle, and wheat, is much more profitable. So far as its own individual interests are concerned (without regard to the claim to sovereignty from exclusive occupation), it is not the interest of the Hudson's Bay Company any longer to retard the settlement of this country. The beaver have nearly been exhausted from the region; the Indians are year by year rapidly passing away, and even those that remain, can bring nothing to the Company in the way of trade. By settlements from the States, the Company, who monopolize the commerce and manu-

factures of the place, obtain white men for customers, the trade of one of whom is worth that of forty Indians, who have nothing to sell.

The prices of groceries and clothing at Vancouver, are, upon a general average, the same as in the States, some that cost more, being balanced by those that come at less. Loaf sugar of the first quality is worth 20 cents per lb.; coffee, 25 cents; brown sugar, 12½ cents. Tea is better and cheaper than in the States, the road to China being so much shorter than from the Atlantic coast, and lying as it were right opposite the door of the Columbia river. Woollen goods and ready made clothing being introduced here without duty, as it is considered an English port, are greatly cheaper than with us. A very good strong quality of blue broadcloth six quarters wide can be had for one dollar and twenty-five cents per yard. A very neat cloth roundabout comes at $4.37½; pantaloons at five dollars; heavy, well-made cotton shirts are worth 83 cents; Mackinaw blankets of superior quality, $3.50 each. All articles of cutlery are also cheap from the same reason as the above. Calicoes and brown cottons are about the same as in the States. Iron is about 10 cents a pound; gunpowder, 25 cents; lead 12½ cents, and shot the same. Boots and shoes are yet very high, and crockery of all descriptions is also dear. Chains, tools, and farming implements are very reasonable; the best Cary ploughs can be had to order from an excellent blacksmith at the place at 31¼ cents per pound. Wheat is worth one dollar a bushel; potatoes, 40 cents; fresh pork, 10 cents, pickled 12½; fresh beef, 6 cents per pound. American cows bring from $50 to $75, and Spanish from $30 to $40; oxen from $75 to $125, per yoke; American horses from $50 to 75 dollars each. There is an abundance of poultry in the country, and there are also a plentiful supply of the two classes of domestic animals known by the familiar appellations of cats and dogs, but still I would advise emigrants to bring dogs with them that are of a good breed, as in a country where so much game abounds, and where there are herds to watch, they are calculated to be very useful.

All the goods sold at Vancouver are of the most superior quality, and the purchaser in this region of general honesty and enterprise, receives them at twelve months credit; so thus the greatest obstacle to the poor emigrant after his arrival here vanishes at once. This is a country of peace and good will; every new comer is received as a brother; the poor man's wealth lies in his arms, and the industry and enterprise which brought him here to claim by his labor heaven's first gifts in the riches of the soil is accepted as the substantial and sufficient guarantee of his good faith.

The utmost liberality characterizes all the dealings with the stranger and even with the resident. If your fortunes have been adverse, and you are not able to pay for last year's dealing, you are required to give your

note, drawing interest at five per cent. Instances have come to my knowledge since my arrival, in which Dr. McLaughlin has extended the credit of some of his customers for two or three years together. He has supplied most of the members of last year's emigration with such articles as they needed, taking in payment only the pledge of their honest faces and hard hands.*

CHAPTER IX.

The Chief Factor's Probity—Departure From Vancouver—Wappato Island—Game—The Willamette—Linntan—Fallatry Plains—The Klackamus—The Falls—Fallatry River—Thomas McKay—Yam Hill River—Multonomah—McFarley and Dumberton—Their New Positions—The Half Breeds.

I have stated before that the special object of my journey to Vancouver was to consummate the arrangements I had made with Mr. McKinley of Fort Wallawalla, in regard to the exchange of our cattle. On the morning after my arrival, I therefore opened my business with the Doctor, and presented him with the aforesaid gentleman's order. The old gentleman at once gave evident signs of displeasure. He saw in a moment that Mr. McKinley had taken advantage of our ignorance to drive a sharp bargain, and gave an immediate and decided dissent to the whole proceeding.

"Are you aware," said he to me, "that our Spanish cattle are much inferior to yours?"

I told him I thought they were from the specimens I had seen at his place.

"And you have learned," continued he, "that cattle may be safely driven from Walla Walla to this post?"

I admitted that the success of our emigrants in bringing through their stock, had convinced me of that fact.

"Mr. McKinley has done very wrong," said he, shaking his head, "very wrong indeed! Your cattle are superior to those I should be obliged to give you, and you would be much the losers by the arrangement. I will not consent to profit by your reliance in our good faith. I will write to Mr. McKinley to take good care of your animals, and to deliver them to you whenever you have settled upon your final residence.

*There is nothing wonderful in all this. The Doctor could do business in no other way with the class of customers he seeks, and as for the taking of the note at the end of the year, when the misfortunes of his creditor have left nothing else to take, it is a measure strictly protective of himself, and has nothing of generosity in it. The Doctor is doubtless a very excellent man, but the above circumstances only prove him to be a very good merchant.

If you should decide upon settling near us, we shall have the advantage of improving the breeds by them. But come, Mr. ——, leave this matter to me; let us drop business for the present, and take a turn down towards the river; I wish to give some directions to an expedition to Fort George, and then I wish to show you a splendid stallion which I bought from an Indian this morning."

It may be supposed by some that Dr. McLaughlin, under the idea that I was one of the leaders of our formidable expedition, was practicing upon me a piece of most adroit finesse, to enlist my favor at the outset, but, as I have had much the best opportunity to judge, I shall not hesitate to decide in favor of his entire sincerity.

That I may not overlook it, I will take this opportunity to state that when I was at Vancouver, the cattle of our emigration which had been driven clear through to the Willamette, were improving rapidly, and many of the oxen were already so far recruited as to be able to be worked daily in the plough.

Having concluded my business at Vancouver, and after having spent three very pleasant days in the hospitable society of the place. I determined to proceed on to the Willamette to make a selection of my final location.

Five miles sail down the Columbia brings you to the eastern mouth of the Willamette. The first object that strikes you immediately upon your entrance is Saury's Island, or as it is sometimes called, Willamette or Wappato Island. This is a long tract of low land about twenty miles in length, and about five in width. It lies directly in the mouth of the river, and thus splitting the stream, causes it to disembogue by two outlets into the Columbia at a distance of fifteen miles from each other. Its surface is mostly a low bottom prairie which overflows every summer, and it is intersected in every direction with small shallow lakes in which grows a species of Indian potatoe called "Wappato," similar in flavor to the Irish potatoe, and being a most excellent and nutritious description of food. There are, however, several spots of fir timber on it, on high ground above high water, and also a large amount of cottonwood, white oak and ash timber in several portions of it. There are immense numbers of wild hogs upon the island, the issue of some placed there several years ago by the Hudson's Bay Company, which find a plentiful subsistence in the Wappato root, and on the mast of the oak. On the lakes, marshes and rivers of this place may be found innumerable swarms of wild fowl, consisting of ducks, geese and swans. These the Indians kill in great numbers and sell to the whites at extremely low rates, the former being charged at four, the second six, and the latter at ten loads of powder and shot each. A family could easily be

supported here on wild fowl alone. After you pass up the river for two miles, you come to the Willamette slough, where the stream divides itself; the smaller portion turning to the left and running down in that direction along the island till it reaches the Columbia 15 miles south of the northern mouth. From the slough starts a ridge of lofty mountains about fifteen hundred feet in height, running parallel with the bank of the river up along its course. These are covered with immense forests of fir, white cedar, hemlock, cherry, maple, and some other kinds of trees, but the fir and cedar constitute nine-tenths of the whole body of the timber. The space between this ridge and the river is low bottom land, which overflows in some years, except at a point five miles from the river's mouth that has since been laid out by General M'Carver and myself under the name of Linntan. This stands upon a high piece of level land about five feet above the level of the stream, and from its being the nearest eligible site for a settlement on the Willamette, it appeared to us to offer superior advantages for a town. As I may be supposed, from the fact I have above stated, to be interested in this point, I will pass it without further remark. When you reach Linntan you have as yet seen no fine farming or grazing country, except that which is covered with immense bodies of timber requiring too vast a labor to remove. From Linntan, there is a good road passing over the ridge of mountains I have mentioned, and leading out ten miles to the famous Fallatry Plains. As you approach within five miles of this region of exhuberant fertility, the timber, which is mixed fir and cedar, becomes more scattering, and the country gradually more open. These plains, as they are called, consist of a succession of small prairies about three miles long, and two broad, separated from each other by small groves of timber, and stretching west from Linntan, until they connect with the Yam Hill country, which I shall hereafter describe. These beautiful plains are almost encircled by a ridge of verdant mountains, in the form of a horseshoe; its convex sweeping toward the Willamette and the open end running into the Yam Hill valley. This ridge of mountains is in many places heavily timbered, and in others the timber is very scattering, the surface of the mountain being covered instead with fine grass, constituting an inexhaustible range. How far apart this horseshoe is at the base I cannot with exactness tell, but I suppose it, from a cursory observation, to be from twenty to thirty miles, and enclosing in its boundaries land enough for two fine countries. These plains are gently underlating smooth prairies, with a black fertile soil upon a clay foundation. The fir timber comes immediately up to the prairie, so that in five steps you can be out of the open field, in whose velvet smoothness not even a twig can be seen, into the dark green recesses of an everlasting forest of the tallest, straightest timber, studded in the

thickest and most formidable array. I should think there were rail timber enough upon ten of these acres to fence five hundred.

There are no deep branches running through these plains, but the water runs off in little valleys about ten yards wide, and where these valleys reach the forest, they are covered with black ash and white oak timber. There is also at various places around these prairies fine bodies of white oak timber. Take them altogether, I have never in my life seen prairies more beautiful than these are, or that were situated more advantageously for cultivation. The first settlements in this voluptuous region were made about three years ago, and they now extend to about fifteen miles into their bosom, and already embrace many fine farms, some containing as much as a hundred and fifty acres in fine cultivation. Were I possessed of a poet's imagination, I might describe in spontaneous song the superlative loveliness of this delightful scene as viewed from the slope of one of the encircling hills, but not being gifted with the poet's frenzy, I must leave the features of this delightful region to the imagination of the reader.

The Willamette river is navigable for ships for five miles above Linntan, but after passing up that distance, you come to a bar which forbids the further passage of vessels of any draught. Small vessels and steamboats, however, can ascend to within a short distance of the Falls. Three miles below the Falls, you come to the mouth of a stream called the Klackamus, which enters the river from the east. It rises in the President's range, and in its course of thirty miles, collects a considerable body of water, which it contributes to the main stream. Its current is rapid and broken, and not navigable to any available degree, and its tide sets with so strong a force into the Willamette, as to offer a serious impediment to boats stretching across its mouth.

As we neared the Falls, the water was shallow and fretted by the irregular surface of the bottom, and we were obliged on coming up to it to make a portage beyond. At the place of our debarkation, on the eastern bank, rose a perpendicular wall of rock, stretching some distance down the river. Through this, however, you find an easy avenue, but recently cut, to the high land above, which as soon as you ascend you find yourself amid the forests and the prairies of the upper plains.

After rising above the Falls, we came in view of Oregon City, the town of secondary importance in the territory. Here is situated, at the present time, from eighty to an hundred families, with stores, mills, workshops, factories, and all the concomitants of thriving civilization. They have likewise an indepedent government of their own, and as far as things have progressed, everything has gone well. Great improvements are medi-

tated at this place, and Dr. M'Laughlin, who is the owner of the first establishment you meet in rising from the lower bed of the river, meditates the project of cutting a canal around the Falls for the purpose of the more easy transportation of the harvests and manufactures of the upper settlements of the Columbia.*

The Falls presented a beautiful sight as they rushed in alternate sheet and foam, over an abrupt wall of dark rock stretching obliquely across the stream, and the hoarse uproar of the waters as they tumbled into the bed of the river below, lent an additional solemnity to the imposing grandeur of the scenery around.

The river's edge, for seevral miles above them, is bordered by a row of mountains, shutting out the surrounding prospect by their continually intervening bulks, from us who sailed upon the silvery bottom of the immense green trough between. There was nothing forbidding in their aspects, however, for their sides were covered with umbrageous forests of thickly studded timber of the most magnifient description. About fifteen miles above the falls, these hills, by a gradual modification of their altitude, roll into verdant undulations, spreading at last into level grassy plains, and alternating with flourishing clumps of timber land. At this point we came upon McKay's settlement, which is situated on the eastern bank, and presents all the evidences of a flourishing little town. Thomas McKay, its founder, is a native of this region in the fullest sense of the word, being the joint descendant of one of the early fur traders belonging to the Pacific Company, and a Chippeway squaw. The son, following the fortunes of his father, grew up in the service of the North West Associtaion, and transferred himself, at the time of its dissolution, into that of the Hudson's Bay. Having at length acquired a competence, he retired from their arduous service, and established himself in his present location. He may now be said to be the most wealthy man in the valley of the Willamette, having an extensive and well stocked farm, and being the owner of a grist mill of superior construction, which must have cost him several thousand dollars to erect. He is a fine specimen of the two races, and combines the energy and perseverance of the one, with the strong passions and determined will of the other. His life has been one scene of wild adventure, and in the numerous conflicts of the early trappers with the savage tribes, he was always foremost in the fight, and the most remarkable in his display of daring bravery and enduring courage. Many a red man has fallen in conflict beneath his rifle, and the warlike bands that have gradually moved away, or been subdued into obedience, well recollect the terrible prowess of their dreaded cousin.

*We have already seen that this project is in course of consummation.

Between this town and the mission establishment above (a distance of forty miles), farms are sprinkled all along, and at twelve miles above McKay's, we meet another flourishing village, called Jarvis's settlement, containing between thirty and forty families, which are about divided as to national distinction. It was originally a mere collection of retired Hudson's Bay servants, but the gradual accession of American settlers has thus changed its complexion. This is a significant circumstance, and clearly indicates that it is our destiny to first alter and then reverse the political balance of every settlement in Oregon.

In my progress up the river I omitted to mention the fact that at a short distance above the falls, we come to the mouth of another small tributary on the west, called the Fallatry river. It takes its rise in the northern portion of the range of mountains which I have described as encircling the Fallatry plains, and in its course through them, pursues a southeasterly direction until it empties into the Willamette.

The next stream entering the Willamette on its western bank is the Yam Hill river. This tributary rises in a west, or southwest direction from the point of junction with the Willamette, in the range of low mountains that run along the edge of the coast. It starts from its source in a northwest direction, and receives a number of smaller tributaries in the shape of creeks. The valley of this stream is a very fine country, consisting of prairie, spotted with groves, and oak timber growing upon the same rich vegetable soil that is spread upon its plains. It extends to the bases of the mountains in which the Yam Hill takes its rise, and from its westermost limit the roar of the adjacent ocean can be heard. The route to California passes some distance along the line of this valley, and a most excellent road can be had leading from it, through the Fallatry plains, to Linnian.

The country all along the eastern bank of the Willamette, above McKay's settlement, is as good as the Yam Hill country, or the Fallatry Plains, and is much the same, both in regard to its natural productions, and its soil. There are fine facilities for intercommunication with its different points; the line of travel is level and easy, and it has in consequence secured throughout its course a row of settlements which in a few years will extend into a continuous chain.

After you leave Jarvis's settlement, you proceed up the river for about thirty miles, when you come to the principal town of Oregon. This is situated on the eastern bank of the Willamette, and is ninety-four miles from the Columbia river. It was first formed in 1834, by a party of American missionaries under the directions of Messrs. Lee, Shepherd, and others, and its vicinity had, even previous to that period, been selected by several retired servants of the Hudson's Bay Company. It has, ever since

the above period, been the seat of the Methodist Episcopal mission, and has now become the headquarters of the operations of the district. Passing the period of my first visit to it, I will take this opportunity to state that there are at the present moment (March, 1844) at this place over two hundred families, and that there are in the whole valley of the Willamette, more than a thousand citizens of the United States. A church, a hospital, an academy, mills, workshops, comfortable dwellings, a herd of five thousand head of cattle, and all the accompaniments of civilization and refinement are to be found here, and any man who can be content to live beyond the limits of a densely populated city, can find at this place all the comforts and enjoyments which a rational being, uncorrupted by false appetite, can crave.

Already a court-house has been erected, and a military organization formed, the object of which is, protection against any formidable attack from the border Indians, or a means of resistance to any attempted aggression on the part of the Hudson's Bay Company. It is, however, proper for me to say that there is not the slightest dread of either of these circumstances, as no hostile demonstration has been made, for several years, upon any of the white settlers in this region, and we have received evidence upon evidence, that the authorities at Vancouver are willing that we shall take the burden of civil and criminal jurisdiction from their shoulders, so far as regards the government of ourselves. It is, doubtless, their wisest policy. An American from the States grows up with the notion that he has a right to help govern himself, and he submits with a very bad grace to any exercise of sovereignty on the part of an Englishman. Indeed, he will not submit to it at all, and I have no kind of doubt that had the Hudson's Bay Company been unwise enough to truckle to the policy of their national government, and to insist, in despite of their own interests, on exercising legal control over us, the peaceful valleys of this region would, ere now, have been dyed with human blood.

McFarley and Dumberton both appear to appreciate the value of the field that is here thrown open to their ambition, and already these aspiring spirits have adopted a system of harrangueing "The People," with a view of effecting new political arrangements. Each evidently thinks Nature intended him for a legislator, and constantly endeavors to lend Destiny some aid in the immense uphill nature of her task. As might be supposed, in a rivalry of this kind, the opponents represent opposite sets of principles and opinions. McFarley being a red hot, ultra radical, and Dumberton, representing the cold and calculating conservative. Each have managed already to secure a clique, and while McFarley is regarded by his faction as "a thunder-an-lightnin-smart-feller"; Dumberton is revered

by his "following" as "a *tremendyers* man." I am inclined to think McFarley will get the best of the struggle, if there is to be any best about it, for he advocates extending the elective franchise to the Indians, with whom he has already secured an extensive interest and admiration, by his expertness with the rifle and in spearing fish; while Dumberton confines himself to profound and ponderous speculations on the more abstruse propositions of political economy.

Whether Messrs. McFarley or Dumberton will have anything to do with it or not, I have no doubt, that the civil and criminal government of the little colonies of this territory will shortly be perfectly organized; and in a manner too that will render us entirely independent of the jurisdiction or assistance of the United States; in which case, inasmuch as she has neglected this region so long, she must look out, say some of the old settlers, that she does not lose it altogether.

There are a large number of Indians about this settlement and valley, who are under the care of the missionaries, and who perform much of the servile labor of the mission establishment. Indeed they are employed the same way by these religious establishment, throughout the territory, as they are by the Hudson's Bay Company; so if there is anything which smacks of slavery in the one case, it necessarily follows in the other.

There is another, and pretty numerous branch of population growing up here, which cannot be passed without notice. This is the class of half breeds, the issue of the Indian women, who are either married to, or fall otherwise in the hands of the careless trapper, or the indifferent woodsman. As there is a great scarcity of white women in the territory, this state of things naturally results, and the consequence will be, that the half breeds, during the next five or six years, will form by far the most numerous native born of the population. Some of these are fine specimens of the two races, and if the cross turns out many such men as McKay, there will be no reason to regret this perversion of fancy, or rather this push of necessity on the part of their male progenitors.

At a short distance above Multnomah, a stream called the Santa Ann, I believe, enters the Willamette from the east, along the banks of which there is a vast body of fine country. It takes its rise in the portion of the President's range in the vicinity of Mount Jefferson.

The portion of the Willamette valley lying between the Cascade ridge and the range of low mountains next the ocean is from fifty to one hundred miles wide, and about two hundred and fifty to three hundred feet long. It consists of rich prairie land and timber, and let who will say to the contrary, is one of the finest pieces of farming land to be found in any country. There is very little difference in the several portions of this val-

ley, with the exception of the circumstance, that the timber is larger and a little more abundant in some places than in others, and now and then the prairies vary to some extent in size. This section constitutes the great body of the prime farming and grazing section of the lower region of Oregon, though there are other beautiful portions in the valleys of the Tootootutna, the Umpqua and the Klamet farther south.

CHAPTER X.

Passage Down the Columbia—Astoria—The Mouth of the Columbia—Lawyers in Oregon—Law Suit—Agitation of the Community—Luminous View of the Gentleman From Big Pigeon—The Philosophy of Soul Saving and Mode of Converting Savages in Oregon—How to Raise Wheat—Facilities for Farming Purposes—General View of the Valley of the Willamette.

To reach the Willamette, I had proceeded down the Columbia to the eastern mouth of the former river at Wappato Island; and for the purpose of completing the route to Astoria, I will now take the river up at that point again and trace it to the ocean. Passing along Wappato for fifteen miles, you come to the western mouth of the Willamette. The island at this point is high and has a bold rocky shore, right up to which, the water is of sufficient depth to allow a large class vessel to lie up and unload, an important advantage in case the point should ever be selected for commercial purposes. On the southern bank of the river immediately below the lower mouth of the Willamette, is a situation which would afford a fine site for a settlement or a town. It is true it is covered with fine heavy timber, but it rises gently from the river, and through the forests in the rear, a natural gap may be seen, which offers facilities for an avenue directly to the riches of the Fallatry plains behind. The Hudson's Bay Company perceiving the advantage of the situation, have already built a house there and have established one of their servants in it. They have many houses thus spotted about on eligible sites, the whole object of which in many cases must merely be the eventual assumption of a prior right, by preoccupation, in case others should wish to settle in the same place.

As you pass down the Columbia, you find no plains along the river, but it is still bordered with its row of mountains running along the banks on either side, and bearing upon their sides the everlasting groves of timber. A few miles below Wappato Island, on the other side of the river, you strike the mouth of the Cowelitz river, in the valley of which I am told some very good land is to be found, though most of the soil on the north

bank of the Columbia is poor, and is unfit for the production of wheat or the esculent grains, except sparsely and in spots. This feature increases as you proceed northward, and the land in the vicinity of Nisqually, on Puget's Sound, is incapable, as I am told, of ordinary production.*

Below the Cowelitz river, the Columbia begins to widen, and at the distance of ten miles from the sea, it spreads to a width of several miles, forming by its singular extension at this part, the portion which British navigators have called Gray's bay, for the purpose of making the world believe that Captain Gray did not discover the Columbia, but only entered *the bay into which it disembogues, to the distance of twenty or thirty miles.*

Astoria, or Fort George, as it is now called by the company who have it in possession, is situated on the south bank of the river, about ten miles from the ocean. It stands on a hill side, and consists only of a few acres which have been redeemed by industrious clearing from the immense forests running behind it. Some of these trees are of the most enormous size, and the soil can only be got at with immense labor in the way of clearing. Until our arrival, it consisted only of three or four log houses in a rather dilapidated condition, but now it is revived by its old name of Astoria, by Captain Applegate and others, who have laid off a town there, and divided it into lots. It will hardly answer the expectations of those who go to it. The ground is rendered too wet for cultivation, by numerous springs that run through it in every direction, and the ocean air is sure to blast the wheat before it can ripen. Garden vegetables, however, grow there finely. Beyond Astoria, and nearer to the ocean, you find a small prairie about two miles long by three wide. It has been formed, it is said, by the ocean, and its soil is represented to be a rich black sandy deposit, varying from eight to fifteen inches deep, when it comes to a foundation of pure sand.

The mouth of the Columbia is the only harbor for ships upon the whole Pacific coast of Oregon. Its channel is very difficult, being tortuous in its course, and perplexed by sand bars, and on account of the violence of its breakers, caused by the sudden confluence of the river's descending volume and the ocean tides, it is extremely dangrous for more than two-thirds of the year to attempt to enter it. Once in, however, and there is good anchorage and safe navigation. The whole coast, in fact, is perilous to approach, and a northeast wind by giving navigators a lee shore of black overhanging rocks, heightens their danger not a little. The only place of refuge for vessel south of the Columbia on the Oregon coast is the mouth of the Umpqua, a river entering the Pacific in 42° 51′, where vessels draw-

*This is at variance with the account of Lieutenant Wilkes, who represents the Nisqually establishment as a very good one, and as furnishing, by its productiveness, supplies to other stations and to the Russians.

ing eight feet of water may securely enter. A similar harbor may be found between forty and fifty miles to the north, called Gray's Harbor, which also affords like security for vessels of the same draught.

Having now completed the account of the line of route from the state of Missouri to the mouth of the Columbia, I will now return to the valley of the Willamette as the point of the greatest interest, and after a few more remarks concerning it, will turn my attention to some of the general features of the territory.

As I said before, ships ascend the Columbia to the lower mouth of the Willamette at Wappato Island (and as high as the Cascades, in a direct onward course if they please), and turning into the river, sail five miles up it to Linntan, and beyond that, five miles more. There, a bar forbids the further progress of any but small vessels which may proceed onward to within seven or eight miles of the falls, and boats may go nearly up to it. Above the falls, the river is navigable for steamboats for over fifty miles.

Before passing Oregon city, I will take this opportunity to mention a circumstance in relation to it, which is not a little amusing in its character, as well as significant of the progress of civilization and social refinement in this primeval wilderness. It appears that Doctor McLaughlin, and some of the missionaries of the settlement above, are rival claimants to a portion of it, and one of the reverend gentlemen connected with the mission, has given way to his litigious feelings and employed a Mr. Ricard, a lawyer (we have lawyers here, too, you see), to institute a suit against the doctor for the site in dispute, in the United States courts, with the hope of compelling an ejection of the trespasser. Mr. Ricard has commenced proceedings, by putting up a very large hand bill, giving an abstract of the title to the mission, and notifying the doctor and all other persons to quit the premises—warning those, moreover, who have not as yet encroached, by no means to do so, without obtaining special leave from the owners aforesaid. I know very little about the merits of the dispute, but I do know that this is the fruitful source of one-half of the debates of the settlements. It takes the place of foreign and domestic news of other portions of the world, and wonderful are the speculations that are projected on its score. It may be readily supposed that such a circumstance as this has not been overlooked by McFarley and Dumberton; on the contrary, both snapped at it with the avidity of hungry tigers. McFarley is very strenuous in favor of the claims of his own countrymen, and has made out a deduction in their favor, which is based, I believe, on the treaty of Utrecht, or some other equally satisfactory basis. He is very decided in his intention of sustaining them with his personal influence and talents, and has solemnly pledged himself even to the extent of fighting it out with the

rifle. Dumberton, on the other hand, though equally decided in favor of the mission claimants, avers that he cannot but regard the circumstance of this dispute with the highest degree of satisfaction. "An opportunity is now furnished us," says he, "through this insignificant controversy, to settle the title of the whole country, and to expel the governmental trespassers from every point and portion of its dominions." "This," he adds, "will bring war between the United Staes and Great Britain; Ireland will revolt; Canada will secede; the monarchs of the Indies will throw off their slavish yoke; Russia unrestrained will snap up Turkey as a famished mastiff would deal with a fresh kidney, and, in short, the whole world would be revolutionized, and the balances of power altered by the controversy in relation to this scrip of land." This opinion, backed as it is by the weight of Dumberton's enormous reputation for profound sagacity, has created no slight sensation in our little world. I believe Doctor McLaughlin has been made acquainted with these views of the gentleman from Big Pigeon, but whether their forcefulness created any serious alarm in his mind, or whatever other effect they have been attended with, I have not been able to ascertain.

So far as the philanthropic objects of the mission are concerned, I do not see that they can derive any direct or indirect benefit from the possession of the place they strive for; though I, for one, am decidedly in favor of their relinquishing no right of settlement they have acquired in any portion of the territory; but I here feel bound to say, as a portion of my general remarks upon this territory, that all the Missionaries whom I have seen within it have succeeded much better in making farms, raising stock, erecting mills, establishing stores, and improving their own worldly condition, than they have been in saving the souls of the Indians. I have, however, no right to criticise and condemn the peculiar system of these gentlemen, for they should certainly know more about the redemption of souls than I, who never worked at it. It, therefore, is not for me to say that the Indian will not more readily imbibe regenerating grace by digging the ground and carrying logs on his shoulders, than in wearing out his knee-pans in fruitless ejaculations.

The Yam Hill river, which I have spoken of before as entering the western bank of the Willamette, is navigable for canoes and keel boats up to its forks, about fifteen or twenty miles from its mouth. Above this still, and at the head of navigation on the Willamette, is another town laid out, called Champoe, but I do not know that any lots have as yet been sold at that place.

I look upon the Willamette valley as one of the finest agricultural countries in America. The soft, rich soil of the prairies is easily broken up from its original imbeddedness with a single yoke of oxen, or a team of

horses, and the moderation of the climate allows you to sow spring wheat as early as the middle of February, and from that until the 15th of May, as the season happens to run. You commence ploughing in October, and plough and sow wheat from that time to the fifteenth of May, to suit the spring or fall crops. There is not much difference in the yield of the early and late sowings, but you must put about twice as much seed in the ground for the latter as for the former. The land yields from 25 to 40 bushels to the acre. I saw a field of five acres sown about the 15th of May last, in new ground, which produced one hundred and ten bushels of the most excellent grain.

The wheat of this country is better than that of the States. The grains are larger and plumper, and a bushel weighs several pounds more.

The country produces oats, peas, tomatoes, and garden vegetables generally, in great abundance. Irish potatoes and turnips grow better here than in the States. Sweet potatoes have not yet been tried, with the exception of an inferior specimen, from the Sandwich Islands, and they did not succeed well. If we had some good seed from the States, I have no doubt we could make them produce very well. Indian corn does not succeed well, and it is not so profitable a crop as other grain, yet it can be raised here in sufficient quantities for all useful purposes, for you need but little, in consequence of not being obliged to feed your stock.

Fruit, such as apples, peaches, cherries, plumbs, pears, melons, etc., thrive here exceedingly well; while wild fruit and berries abound in the utmost profusion. Cranberries are found in great quantities near the mouth of the Columbia, and are brought up here and to Vancouver, by the Indians, and sold for almost nothing. Blueberries, raspberries, sal-lal berries, thorn berries, crab apples, a kind of whortle berry, and strawberries are found in large quantities in every direction in this section of Oregon. The strawberries of this country are peculiarly fine; they are larger in their size than those of the States, and possess a more delicious flavor.

As regards the country for grazing, it is certainly all that anyone could wish it. Cattle require no shelter nor feeding, and upon the Yam Hill plains numerous salt springs supply another necessary of their fodder. Cows calve here when fifteen and twenty months old. This is also a good country for raising hogs; upon the Willamette below the falls, and on the Columbia, they live upon the wappato root, and upon the plains they find a plentiful subsistence in the grass and fruit of the white oak. The grass of this country, as I have had occasion to say before, is peculiarly nutritious, and cattle who have been put here to recruit, recover their physical energies with wonderful rapidity while feeding on it. In the last of November, the period of my first visit to this place, I saw a fine sorrel horse, which had

been brought to this country by Mr. John Holeman of Clinton County, Missouri, that was turned upon the grass in Fallatry Plains in the middle of the previous month. He was then so reduced and feeble, with the fatigues he had undergone during the trip from the States, that he could barely raise a trot; but when I saw him, he was in fine condition and curvetting about the plains as gaily as any of the other horses, with whom he was enjoying primitive independence. Cattle that were worked from the States to the Dalles, and from there brought down to the Willamette valley last year, have borne the winter well, and are now thriving rapidly.

The climate of this lower section of Oregon, is indeed, most mild. Having now passed a winter here, permanently and most comfortably established at Linntan, I am enabled to speak of it from personal experience. The winter may be said to commence about the middle of December, and to end about the 10th of February, and a notion of the genial nature of its visitation may be gained from the fact that I saw strawberries in bloom about the first of last December in the Fallatry Plains, and as early as the 20th of February the wild flowers were blooming on the hillsides. The grass has now been growing since the 10th of February, and towards the end of that month, the trees were budding and the shrubbery in bloom. About the 26th of November, we had a spell of cold weather, and a slight fall of snow, which, however, was gone in a day or two. In December, we had very little snow, all of it melting as it fell; in January we had more, but all of it, like the previous falls, melted as it came down, with the exception of one visitation, that managed to last upon the ground for three days.

The soil has not been frozen more than one inch deep during the whole winter, and ploughing has been carried on without interruption throughout the winter and fall. As regards rains in the winter, I have found them much less troublesome than I anticipated. I had supposed, from what I had heard of the incessant storms of this region, but I have work could not be done at all here, during the rainy season, but I have found that a great deal more labor of this description can be performed here than during the same period in the western states. The rains fall in gentle showers, and are generally what are termed drizzling rains, from the effect of which a blanket-coat is an effectual protection for the whole day. They are not the chilly rains which sting you in the fall and spring seasons of the eastern states, but are warm as well as light. They are never hard enough in the worst of times to wash the roads or fields, and consequently, you can find no gullies worn or cut in your fields, by this means.

(To be continued)

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INDEPENDENCE DAY IN THE FAR NORTHWEST

The following few extracts taken from logs, narratives, and journals of American seamen, explorers, traders, and travelers, in the Oregon territory, and the Pacific Northwest, have no great historical significance. They are a recital of the manners in which the anniversary of Independence Day was observed by those intrepid men, long ago.

As to what constitutes a Fourth of July celebration, each individual must be his own judge.

The celebrations hereinafter mentioned, whether attended by few or many, by simple or elaborate ceremonies, were equally inspired by patriotism and the means employed to celebrate were the best their respective circumstances would permit.

During the time that George Washington was presiding over the deliberations of the Convention of 1787, certain Boston merchants, attracted no doubt by the prospects of immense profits to be derived in the fur trade of the North Pacific Ocean, purchased and fitted out an expedition, the ship "Columbia" of 212 tons burden, John Kendrick, commander; and the ninety-ton sloop "Washington," Robert Gray, commander. Sailing from Boston in the autumn of 1787, they arrived on the Northwest Coast the following year.

It is said that between the years 1782-1792 at least thirty American ships, mostly from New England, were engaged in the fur trade in the North Pacific Ocean."[1] This was the beginning of the golden age of the American merchant marine, when American built ships, fleet and staunch,

[1]Among the number were Captains Magee, in "The Margaret"; Crowell, in the "Hancock"; Coolidge, in the "Grace"; Roberts, in the "Jefferson"; Metcalf, in the "Elmira"; Ingraham, in the "Hope," and Cole, in the "Florinda" of Macao. "The most miserable thing that was ever formed in imitation of the Ark," according to Haswell, one of the Columbia's officers.

flying the American flag, were to be seen on every sea, however remote..[2]

Some of the above mentioned ships were on this coast during those years on the anniversary of Independence Day. Captains Kendrick and Gray were at or near Nootka Sound on July 4, 1789. Some of these officers and seamen had served in the Revolutionary War. We know that Captain Kendrick "did considerable privateering" and that Captain Gray "was an officer in the American navy during the Revolutionary War." And no doubt they observed so important an event as celebrating every Fourth of July in a proper manner. There may be records of such celebrations.

JULY FOURTH, 1791

The following is an extract taken from the log of the ship "Hope," Captain Ingraham, recording such a celebration held on Queen Charlotte Island, named Washington Island by Captain Ingraham, July 4, 1791. George Washington was then serving his first term as president; the western boundary of the United States was then the Mississippi River. Michilemockinac, on Lake Michigan, Detroit, Fort Erie, Niagara, Oswego, Oswegatchie, Port-au-fer, and Dutchman's Point were garrisoned by British troops and English officers still exercised jurisdiction over the adjacent territory. Neither Kentucky, Tennessee nor Ohio had as yet been admitted into the Union.

While the English and American governments did not agree as to the division of the territory, it was generally understood by both claimants that the Oregon country included all the territory west of the Rocky Mountains, north of latitude 40° to 54° 40′ north, and included Queen Charlotte and Vancouver Islands.

"Thursday, the 16th Sept., 1790, the Brigantine Hope being ready for sea under my command, destined on a voyage round Cape Horn to the N. W. coast of America, from thence to China and back to Boston, making the circuit of the globe. Having experienced much tempestous weather on my last voyage in doubling Cape Horn, I was under some apprehension as to the safety of the Hope being only 70 Tons burthen

[2]Rev. Edward G. Porter, referring to the North River, Massachusetts, where the "Columbia" was built, said:

"One who sees it today peacefully wandering through quiet meadows and around fertile slopes would hardly believe that over one thousand seagoing vessels have been built upon its banks." Transactions of the Twentieth Annual Reunion of Oregon Pioneer Association for 1892. Portland, Oregon. 1912. p. 63.

[3]While the English and American Governments did not agree as to the division of the territory, it was generally understood by both claimants that the Oregon Country included all the territory west of the Rocky Mountains, north of latitude 40° to 54° 40′ north, and included Queen Charlotte and Vancouver Islands. See map in Twiss (Sir Travers) Oregon Question Examined in Facts and the Law of Nations. London, 1846. Greenhow (Robert), History of Oregon and California and the Other Territories on Northwest Coast of North America, second ed. Boston, 1845, p. 21.

and slightly built. However I conceived it the time to make Hay while the sun shone. The trade to China from N. W. being lucrative and in its Infancy it was not to be long neglected especially as since the return of the Columbia many of our enterprising seamen seem'd bent towards an Adventure to try what could be done nothwuthstanding the ill success of the first attempt, and when I considered these things I was determined to be among the first that Embark'd—at all events altho I had been on shore but 5 weeks since my last voyage round the world which instead of an elevation only tended to embitter my situations being only a mere dream of Felicity from which I was loth to be awakened; however Fortune is not alike kind and propitious to all therefore with as good a grace as possible I submitted to my fate—and on the morning before mentioned several Gentlemen of the Company who fitted my vessel and others of my acquaintance accompanied me on board in order to sail out in the bay with us and to return in the pilot boat."[4]

The brig "Hope" was fitted out by Thomas H. Perkins, of Boston, who carried on a great commercial business, chiefly with the Northwest of America, China and Boston, in the early part of the nineteenth century. No private firm in the world transacted more business in China.[5]

The "Hope" left the Sandwich Islands for the Northwest Coast of America June 1st, 1791.

July 28, 1791—"* * * * We saw part of Washington Island bearing N. E. * * * *."

June 29—" * * * * We saw 3 openings which we had observed on the preceding evening. I stood for the northermost which had the most promising appearance and bore N. E.e of us. When we got within a league of the entrance I sent an officer with a boat mann'd and arm'd to examine it ere we entered in with the vessel. In the meantime I had the Brig by the wind and lay off and on. At 11 o'clock the boat was seen coming out with a Jack flying which was the signal if in case it proved a good Harbour. We bore away and met her in the entrance of a fine sound; at 4 Oclock we moored in a snug cove in the East arm of the sound as I never had any Information that there was a sound or Harbour where we fortunately found so good a one. I tho't it necessary it should have a name. I therefore nam'd it Magee Sound, after Captn

[4]Journal-of-The Voyage of-The Brigatine "Hope"-From Boston To-The North-West Coast of America-1790-1792—By—Joseph Ingraham—Captain of the "Hope." Book 2, p. 1.

Copy used is a Photostat copy in the Library of the University of Washington, taken from Original in Library of Congress (hereinafter cited as Log of the ship "Hope.")

[5]Weeden (William B.), Economic and Social History of New England, 1620-1789, v. 2, p. 822. Boston. 1890.

James Magee, of Boston and one of the Company which own'd the Hope under my command."[6]

"July 4th [1791]—* * * * On the 4th. being the anniversary of American Independence I caused a Hog of 70 lbs. weight to be roasted whole on which we all din'd on shore. I with my Officers and seamen drank the president's health and made the forest ring with 3 cheers, after which every one return'd to their several employments as we could not spare time to set longer after dinner * * *."[7]

Magees sound is situate in the Lat 52° 46′ North; Longe 61″ 16′ West of Boston, or 131-46 West of London. It is on S. E. side of Washington Island on what the English term Prince Edwards or Charlotte Isles thus named by 2 different Captains on their first falling in with them.[8]

JULY FOURTH, 1792

Captain Ingraham, in ship "Hope," returned to the Northwest Coast of America and was at the Washington Islands in July, 1792, where he again celebrated the anniversary of American Independence, as following extract from his journal shows:

"July 2 [1792]—Lat. 53°-54 No.; Long. 224°-25E.

"* * * * We saw part of Washingtons Islets bearing E. B. N. Dist'ce 8 leagues. I intended anchoring in Cove Duglas or Crab Cove. I keep off to N. leaving all the highlands to the South, or on the starb'd hand.

"At noon our Lat. was 54°-5 N. at which time Cunneyohs straight bore N. E. 4 leagues we stood in under all sail * * * * * at 4 in the afternoon we anchored in 15 fathoms water nearly in same place we did on our last voyage."

July 4 [1792]* * * * "being the anniversary of American Independence in order to celebrate it in the best possible manner our situation would admit of I had as on my last voyage a Hog of 60 pounds weight roasted whole on the beach and invited Capn. Croel and his officers to dine with me at 12 Oclock we fir'd a gun hoisted our colours and gave 3 Cheers—which the Hancock return'd. As the Hope was on Careen we din'd on shore under a Tree near the beach. Old Cunneyah was one of our guests—however the day did not end so pleasantly as it began for in the afternoon when Capn Croel and his officers were return'd on board and we were trading with the natives some of the Hancocks men who

[6]Log of Ship "Hope." Book 2, p. 79.
[7]Ibid. Book 2, p. 81.
[8]Ibid. Book 2, p. 82.
[9]Ibid. Book 3, p. 162.

were cutting wood on shore lost an axe (perhaps by carelessness). However they challenged the Natives with the Theft and seiz'd several skins and 2 spear's on which I saw the Indians which had taken their temporary abode near us, embarking on hearing the cause, I repair'd on board the Hancock to inform Capn Croel that he might take proper care of his men. Capn Croel immediately went on shore and brot the men off with him leaving the skins with my chief Officer. Shortly after 2 or 3 natives return'd to the beach and Captn Croel desir'd me to give orders that the skins might be given to those people which I did after the men were possess'd of the skins they offer'd them for sale for a Jacket & Trousers which one of the men was trying on when a man came alongside the Hancock and said the skins were his on which Capn C. desir'd I would hail again & give orders that the skins might be given to the man who claim'd them last this I did likewise.

The man that was bargaining for them seeing the right owner coming to receive them endeavor'd to run off with the Jacket and Trousers on which my Chief Officer gave orders to pursue him and the Centinals on the beach to fire which they did 2 muskets were fir'd before I was able to stop the men from persuing, the Jacket was recover'd and the Trousers the man carried off. I was very sorry it Happened. I was on board Hancock at time as the native informm' me the man was wounded in the side which had I been on shore I should have prevented so might the Officer had he been trading where he ought to have been (on board the Brig) etc etc."[10]

Captain Ingraham subsequently entered the navy of the United States as a Lieutenant, and was one of the officers of the ill-fated brig Pickering, of which nothing was ever heard after her departure from the Delaware in August, 1800."[11]

The location of this, the second celebration of Captain Ingraham, is not quite so clear. It probably was on the North West point of what is now known as Graham Island (of the Queen Charlotte group) or the small island, just northwest; or it may have been on one of the Prince of Wales Islands, then called Douglass, or on mainland just north of Portland Canal. If at either of last two mentioned, it was held in what is now Southeastern Alaska.

Between the years 1790 and the beginning of the War of 1812 numerous American ships annually visited the Northwest Coast. And it

[10]Ibid. Book 3, p. 164.

[11]Greenbow (Robert), History of Oregon and California, 2nd ed. 1845, p. 237.

is safe to assume that where you find Americans on July 4th you will find them celebrating the anniversary of American Independence.

JULY FOURTH, 1806

The Lewis and Clark Expedition left the River a Dubois, opposite the mouth of the Missouri River, Monday, May 4th, 1804,[12] on their overland journey to the Pacific Ocean. They passed their first Fourth of July [1804] near present site of Fort Leavenworth.[13]. On July 4th, 1805, they were at the Great Falls of the Missouri River.[14]

Having reached the Pacific, where they passed the winter of 1805-1806, they were now returning to the States.

They reached the Bitter Root Valley on July 3, 1806,[15] where they separated temporarily, Captain Lewis to take a short cut to the Missouri River, Captain Clark to explore the Yellowstone.

Captain Clark's camp on July 3, 1806, was nearly opposite where the town of Carvollis, Montana, is now located.[16]

This was in the Oregon territory and formerly a part of the Territory of Washington.

Captain Clark makes the following entry in his journal:

"Friday, July 4-1806.

I ordered three hunters to Set out early this morning to hunt & kill some meat, and by 7 A. M. we collected our horses took breakfast and Set out; proceeded on up the Valley on the West Side of Clarks river crossing three large deep and rapid Creeks, and two of a smaller size to a small branch in the Spurs of the mountain and dined; the last Creek or river which we pass'd was so deep and the water so rapid that several of the horses were sweped down some distance and the Water ran over several others which wet several articles. After crossing this little river, I observed in the road the tracks of two men whome I prosume is of the Shoshone nation. Our hunters joined us with 2 deer in tolerable order. On the side of the Hill near the place we dined saw a gang of Ibex or big horn Animals. I shot at them running and missed. This being the day of the declaration of Independence of the United States and a Day commonly scelebrated by my Country I had every disposition to selebrate this day and therefore halted early and partook of a Sumptious Dinner

[12]Original Journals of the Lewis and Clark Expedition, 1804-1806. Reuben Gold Thwaites, Editor. N. Y., 1904. Vol. I., p. 66.
[13]Ibid. Vol. I., p. 16.
[14]Ibid. Vol. 2, p. 211; Vol. 7, p. 110.
[15]Ibid. Vol. 5, pp. 183, 245.
[16]Ibid. Vol. 5, p. 246, note 2.

of a fat Saddle of Venison and much of Cow (roots). After Dinner we proceeded on etc etc."[17]

Clark was accompanied by twenty men, besides the Indian woman, Sacajawea, and her Child. Nathaniel Pryor, John Shields, George Shannon, William Labiche, Richard Windov, Hugh Hall, George Gibson, Charbonneau, Pierre Courzatte, John Colter, John Collins, Alexander Willard were of the party.

JULY FOURTH, 1807

"William Tufts, Esq.,[18] of Boston, * * * * * who was on the coast as supercargo of the ship Guatimozin, of Boston, in 1807-8, writes me from Boston, February 6th, 1857, that he was on the Coast for eighteen months, from the 20th of March, 1806, to the 24th of September, 1808. * * * *

"I was in the Columbia River from about the first to the middle of July, 1807. Our dinner on the 4th of July was roast moose and boiled salmon."

Mr. Tufts also procured at the same time a medal given to the Indians by Lewis and Clarke. It was pewter, and with inscription upon it * * * * *."

The ship Guatimozin, of Boston, Captain Glanville, master, owner by T. Lyman, was on Northwest Coast in 1807-1808, and was wrecked on coast of New Jersey, February 3, 1810.[19]

JULY FOURTH, 1810

The following is a condensed statement taken from a speech by Hon. James G. Swan delivered before the Washington Pioneer Association at Port Townsend in 1887:

Captain Nathaniel Winship in the ship "Albatross" of Boston entered the Columbia in the latter part of May 1810, and attempted the construction of the first trading establishment on the Columbia River, and "planted the first seeds in the virgin soil." Discouraged by floods and the hostility of the natives, they abandoned the settlement and left the Columbia River July 19th, 1810.[20]

[17]Original Journal of the Lewis and Clark Expedition, 1804-1806, Dr. Thwaites, Editor. N. Y., 1905, Vol. 5, p. 246.

[18]William Tufts was an uncle of James G. Swan. Transactions of the Washington Pioneer Association for the years 1883 to 1889, inclusive, with Constitution and By-Laws, also Annual Addresses and other matter of interest to Pioneers. Compiled by Charles Prosch. Seattle, 1894, p. 98.

[19]Swan (James G.), The Northwest Coast; or Three Years' Residence in Washington Territory. N. Y., 1857, p. 406. Ibid, p. 424.

[20]Transactions of the Washington Pioneer Association for years 1883 to 1889, inclusive, with Constitution and By-Laws, also Annuall Addresses and other matter of interest to Pioneers. Compiled by Chas. Prosch, Seattle, 1894, pp. 98, 99.

If Franchere, Ross Cox, Alexander Ross or Irving mentions any 4th. of July celebration among the "Astorians" I have not found it. It is said that in all the Association there were but five native-born American citizens, and of these one was manager, three were clerks, and one cooper. This doubtless refers to the Company of the ship Tonquin. That there were more Americans in the overland party of Mr. Hunt seems certain, though of the total number they were a very small minority. Even this small number doubtless celebrated Independence Day.

JULY FOURTH, 1811

The following celebration, though not held in the Oregon country, is, however, worthy of mention, owing to the fact that some of those present afterward became prominent in the history of Oregon.

Mr. Astor's overland party, under command of Mr. William P. Hunt, consisted of nearly sixty persons In this party were John Bradbury, the English naturalist; Mr. Nuttal, the naturalist, and Donald McKenzie, Ramsey Croats, Joseph Miller, Robert McLellan, partners; John Reed, clerk; John Day, hunter, etc., etc. Forty were Canadian "voyageurs" or "engages."

They embarked at Nadowa, near junction of the Mississippi and Missouri Rivers, early in March 1811, "in four boats, one of a large size mounting a swivel and two howitzers," bound for Astoria. Shortly after, Manuel Lisa, the well-known head of the Missouri Fur Company, also fitted out an expedition of twenty-one well-armed and selected men to make a trip to the Rocky Mountains and visit his forts on the Missouri River, and had a swivel and two brass blunderbusses mounted in his boat.

Mr. H. M. Brackenridge, a well-known writer, and Sacajawea, her husband, and child were in the party. Speaking of her, Brackenridge says: "We had on board a Frenchman named Charbonet with his wife, an Indian woman of the Snake Nation, both of whom had accompanied Lewis and Clark to the Pacific and were of great service. The woman, a good creature, of a mild and gentle disposition, greatly attached to the whites, whose manners and dress she tries to imitate; but she had become sickly, and longed to revisit her native country."[21]

Lisa's party left St. Charles April 2, 1811, more than twenty days after Hunt's party.

Realizing the danger to a small company passing through the hostile Sioux Nation, Lisa put forth every effort to overtake and join Hunt's

[21]Brackenridge (H. M.), Views of Louisiana, Together With a Journal of a Voyage Up the Missouri River in 1811. Pittsburgh, 1814, p. 202.

party before they reached the Sioux Country. They succeeded in overtaking Hunt, soon after he had entered it.

Chittenden says: "This remarkable keel boat race, covering a period of just two months and a distance of about eleven hundred miles, is one of the notable events in Western history."[22]

The parties traveled in company up the river, the leaders mutually distrustful and suspicious of each other. They later quarreled. Afterwards became partly reconciled. They finally arrived at Fort Lisa, situated on the Missouri River, near the Mandan Villages near where the present town of Stanton, North Dakota, is now situated—where on July 4th, 1811, they celebrated Independence Day, probably the first ever observed in Dakota.

Brackenridge, who was with Lisa says: "On the Fourth of July, we had something like a celebration of the day. The two principal chiefs happened to be with us. The borgne is one of the most extraordinary men I ever knew. The description of Abelino might give some idea of the man. He sways with unlimited control all the villages, and is sometimes a cruel and abominable tyrant. In stature he is a giant, and his one eye seems to flash with fire. I saw him on one or two occasions treat She-he-ke with great contempt. Mr. Lisa citing something which She-he-ke expressed, "What," says the other, "does that bag of lies pretend to have any authority here?"[23]

Mr. John Bradbury, who was present, says:

4th [1811]—"This day being the anniversary of the independence of the United States, Mr. Lisa invited us to dine on board his boat, which was accepted by Messrs. Brackenridge, Lewis, Nuttal and myself; and as Le Borgne and the Black Shoe, the two Minetaree chiefs, called at the Fort before dinner, they were invited also. They ate with moderation and behaved with much propriety, seeming studiously to imitate the manners of the whites."[24]

JULY FOURTH, 1823

There is a famous old landmark known to many of the fur traders, trappers and pioneers coming overland on the old Oregon trail—Independence Rock. It is an immense oblong block of oval, but irregular shape, along the southern base of which lay the river (Sweetwater) and along the northern base the old Oregon trail. A monument raised by Nature

[22]Chittenden (Hiram Martin), American Fur Trade of Far West, Etc., New York, 1902. Vol. I., p. 185.

[23]Brackenridge (H. M.), Views of Louisiana, Together With a Journal of a Voyage Up the Missouri River in 1811. Pittsburgh, 1814, p. 261.

[24]Bradbury (John), Travels in the Interior of America in the Year 1809, 1810 and 1811, etc., 2nd ed., London, 1819, p. 163. Same, Early Western Travels, Vol. V., p. 167, Cleveland, 1904, Dr. Thwaites, Editor.

and which was dedicated to commemorate a Fourth of July here celebrated by the first party of whites who made the journey by South pass. "The name is of early date, probably before 1830, and if so, coming from the Ashley Expedition. The incident which gives rise to it is well-known, from various references all of which indicate that a party of hunters encamped at the base of this rock on a Fourth of July and here celebrated the anniversary of the Country's Independence."[25] Sage says that "it derives its name from a party of Americans on their way to Oregon under lead of one Tharp, who celebrated the Fourth of July at this place[26]—they being the first company of whites that ever made the journey from the States via South Pass." As Oregon then included everything west of South Pass, this may very likely refer to the first Ashley party that followed the route probably in 1823." * * *[27]

Sage says further that "the surface (of the rock) is covered with names of travelers, traders, trappers, emigrants engraved upon it in almost every conceivable part for the distance of many feet above its base—but most prominent among them all is the word 'Independence' inscribed by the patriotic band who first christened this lone monument of Nature in honor of liberty's birthday." This is confirmed by Farnham,[28] who refers to the rock as "a large rock, oval in form on which the old trappers many years ago carved word 'Independence' and their own names."

It is also mentioned by Father DeSmet, who passed "Independence Rock" July 5th, 1841.[29]

JULY FOURTH, 1832

Speaking of Captain Nathaniel J. Wyeth's first expedition to Oregon, his kinsman, John B. Wyeth, said that Captain Wyeth was greatly influenced to undertake this venture by the writings of Hall J. Kelley. Of the latter he says:

"He believed all he read and was firm in the opinion that an Englishman and American, or either, by himself could endure, and achieve anything that any man could do, with same help. That a New England man or 'Yankee' could with less."[30]

[25]Chittenden (Hiram Martin), American Fur Trade of Far West, Etc., New York, 1902. Vol. I., p. 471.

[26]Sage (Rufus B.), Rocky Mountain Life, Etc., Boston, 1859, p. 164.

[27]Chittenden (H. M.), American Fur Trade of Far West, V. I., p. 472.

[28]Farnham (Thomas), Travels in Great Western Prairie, Etc., Vol. I., p. 108. Same, Early Western Travels, Dr. Thwaites, Editor, Vol. XXVIII., p. 112, Cleveland, 1906.

[29]DeSmet (P. J., S. J.), Letters and Sketches, with a narrative of a year's residence among the Indian tribes of Rocky Mountains. Philadelphia, 1843, p. 79.

[30]Wyeth (John B.), Oregon, or a Short History of a Long Journey, Etc., Cambridge, 1833, p. 4. Same, Early Western Travels, Thwaites, Ed., Vol. XXI., p. 24.

That party consisted of Capt. Wyeth, and company of twenty-one. They left Independence, Mo., in May, 1832, at which place they were joined by William Sublette, and a party of sixty-two.

July 4th. [1832]—"Decamped and at noon crossed the divide and drank to my friends with mingled feelings from the waters of the Columbia mixed with alcohol and eat of a Buffaloe cow. Made this day 30 miles and 25 yesterday. The snow clad mountains now entirely surround us, the streams this side increase rapidly. One bear seen this day. The grass much better and some fertile land here the earth in places was frozen snow yesterday and today. Three of my men are sick and I have no spare animals for them."[31]

John B. Wyeth, who was one of Captain Wyeths party, says:

"On the 4th of July. 1832, we arrived at Lewis' fork, one of the largest rivers in these Rocky Mountains." (Probably Hoback's River, a branch of Lewis or Snake River in Western Wyoming just south of Yellowstone Park.) He says further:

"This being Independence Day, we drank the health of our friends in Massachusetts in good clear water, as that was the only liquor we had to drink in remembrance of our homes and dear connexions. If I may judge by my own feelings and by looks of my companions, there was more of melancholy than joy amongst us."[32]

July 12th John B. Wyeth and several others of Captain Nathaniel Wyeth's party decided to return, which they did, joining Captain William Sublette's party, and later returned to the States. He lacked the proper qualifications to become a pioneer. Captain Wyeth continued his journey and reached the Pacific Coast.

JULY FOURTH, 1834

Capt. Wyeth's second expedition to Oregon.

In the party were John K. Townsend, Thomas Nuttal, Jason and Daniel Lee, the missionaries. They left St. Louis in March, 1834, and had reached the Bear River, near the border of Washington, Wyoming and Idaho.

July 4th, 1834—"This being a memorable day, the liquor kegs were opened, and the men allowed an abundance. We, therefore, soon had a renewal of the coarse and brutal scenes of the rendezvous. Some

[31]Sources of History of Oregon. The Correspondence and Journals of Captain Nathaniel J. Wyeth, 1831-6, Vol. I., Parts 3 to 6, inclusive, p. 158.

[32]Wyeth (John B.), Oregon, or a Short History of a Long Journey, Etc., Cambridge, 1833, p. 39. Same, Early Western Travels, Thwaites, Ed., Vol. XXI., p. 60.

of the bacchanals called for a volley in honor of the day, and in obedience to the order, some twenty or thirty 'happy' ones reeled into line with their muzzles directed to every point of the compass, and when the word 'fire' was given, we who were not 'happy' had to lie flat upon the ground to avoid the bullets which were careening through the camp."[33]

Captain Nathaniel Wyeth made the following entry in his journal:

"July 4th [1834]—Moved up the Creek about 1 mile, then leaving it made W. by N. over a divide and by a pass which occurs in lowest part of a high range of hills 7 miles then W. 13 miles down a ravine which had a little water in it to its junction with another small run and the two are called Muddy. Here we celebrated the 4th. I gave the men too much alcohol for peace, took a pretty hearty spree myself. At camp we found Mr. Cerry and Mr. Walker, who were returning to St. Louis with the furs collected by Mr. Bonnevilles Company, about 10 packs and men going down to whom is due 10,000$."[34]

JULY FOURTH, 1835

At Fort William, Wyeth's New Settlement on Wappatoo Island, which is about fifteen miles from lower mouth of Willammet.

1835—"July 4th.—This morning was ushered in by the firing of cannon on board our brig, and we made preparations for spending the day in festivity, when, at about 9 o'clock, a letter was received from Mr. Walker, who has charge of the fort at Wappatoo island, stating that the tailor, Thornburg, had been killed this morning by Hubbard, the gunsmith, and requested our presence immediately, to investigate the case, and direct him how to act. Our boat was manned without loss of time, and Capt. L. [ambert] and myself repaired to the fort, where we found everything in confusion. Poor Thornburg, whom I had seen but two days previously, full of health and vigor was now a lifeless corpse; and Hubbard, who was more to be pittied, was walking up and down the beach with a countenance pale and haggard from the feelings at war within etc."[35] The brig referred to was the "May Dacre," Captain Wyeth's vessel.

[33]Townsend (John K.), Narrative of a Journey Across the Rocky Mountains to the Columbia River, Philadelphia, 1839, p. 80. Same, Early Western Travels, Dr. Thwaites, Ed., Cleveland, 1905, Vol. XXI., p. 198.

[34]Sources of the History of Oregon. The Correspondence and Journals of Captain Nathaniel J. Wyeth, 1831-6, Vol. I., Parts 3-6, p. 225.

[35]Townsend, Narrative of a Journey Across the Rocky Mountains, p 223. Same, Early Western Narratives, Thwaites, Ed., Vol. XXI., p. 323.

JULY FOURTH, 1836

The missionary party, consisting of Marcus Whitman and wife, H. H. Spaulding and wife, W. H. Gray and the two Nez Percé boys, had overtaken the caravan of the American Fur Co. late in May, 1836, at Loup Fork of the Platte River. The overland caravan consisted of about two hundred persons.

"On the Fourth of July [1836] they entered the famous South Pass, where the Rockey and Wind River Mountains almost come together."[36]

"July 4th they entered the South Pass of the Rockey Mountains, the dividing line between the Atlantic and the Pacific Slopes. There on Independence Day, they alighted from their horses, and kneeling down, with the Bible and the American flag in their hands they took possession of the Pacific Coast as the home of American mothers and for the Church of Christ."[37]

There is some doubts as to whether this party had reached the South Pass on July 4, 1836.

JULY FOURTH, 1841

Part of the United States exploring squadron under the command of Lieutenant Charles Wilkes, U. S. N., was on Puget Sound during part of the spring and summer of 1841, and they were present and took part in the great Fourth of July celebration held near Fort Nisqually in 1841. This was a large celebration and according to modern formula, nothing was omitted. They fired salutes with cannon, sailors and marines[38] marched to music. With flags flying, the Declaration of Independence

[36]Barrows (William), Oregon, the Struggle for Possession, 3rd ed., Boston, 1885, p. 132. Cites no authority.

[37]Eells (Rev. Myron, D. D.), Marcus Whitman, Pathfinder and Patriot, Seattle, 1909, p. 34. Cites no specific authority. For Whitman's trips across the continent he gives Messrs. Parker, Gray, Lovejoy, and Mrs. Whitman as his authority. Mowry (William A.), Marcus Whitman and Early Days of Oregon. N. Y., 1901, p. 72. Cites H. H. Spaulding, in the Chicago Advance, December 1st, 1872. Gray, W. H., History of Oregon, 1792-1849. Portland, 1870. Says, p. 120: "About the 20th of July." Transactions of the Nineteenth Annual Reunion of the Oregon Pioneer Association for 1891. Portland, O., 1893. Journal of Mrs. Marcus Whitman, p. 44, July 27: "Had quite a level route today—came down Bear River."

[38]"Captain Charles Wilkes was the officer of the day. Prayer was offered by Dr. Richmond. The Declaration of Independence was read 'by sergeant of marines; the Scriptures were read by Captain Wilkes. Two songs were sung, viz: 'The Star Spangled Banner' and 'My Country 'Tis of Thee.' * * * * The oration was delivered by Dr. Richmond."

From an article entitled "Missionaries Participating in the Original Celebration at This Place, 1841," by Rev. A. Atwood, published in "Commemorative Celebration at Sequalitchew Lake, Pierce County, Washington, July 5, 1906, at 2 o'clock P. M., under auspices of the Pierce County Pioneer Association." Compiled by R. L. McCormick and W. H. Gilstrap, pp. 27, 30. This book contains a splendid and complete account of this celebration and of those who took part therein. Unfortunately the book is not easy to get.

was read, a Fourth of July oration delivered. They had athletics, horse racing, feasting, and the usual Fourth of July casualty.

Captain Wilkes says:

"Wishing to give the crew a holiday on the anniversary of the Declaration of our Independence, and allow them to have a full day's frolic and pleasure, they were allowed to barbecue an ox, which the Company's Agent had obligingly sold me. They were permitted to make their own arrangements for the Celebration, which they conducted in the following manner: The place chosen for the purpose was a corner of the Mission Prairie, before spoken of. Here they slaughtered their ox and spitted him on a sapling supported over the fire, which was made in a trench. The carcass could thus be readily turned, and a committee of the crew was appointed to cook him. Others were engaged in arranging the amusements etc. All was activity and bustle on the morning of the 5th, as the 4th fell on Sunday. Before nine o'clock all the men were mustered on board in clean white frocks and trousers. And all including the marines and musiccians were landed shortly after to march to scene of festivity about a mile distant. The procession was formed at the observatory where we all marched off with flags flying and music playing, Vendovi and the master-at-arms bringing up the rear. Vendovi was dressed out after Feejee fashion. It was truly gratifying to me to see them all in such good health and spirits, not a man sick, and their clothes as white as snow, with happy and contented faces. Had it not been for want of news from the Peacock and the consequent apprehension in relation to her fate I should have felt and enjoyed the scene much more than I did. But the continual feeling that the ship might have been lost on some coral reef and the idea of the suffering her officers and crew would, in such case, undergo, tended to repress all other thoughts. This anxiety was not only felt by myself but officers and crew partook of it in a great degree. It was impossible to conjecture her fate. Yet her continued absence and detention beyond the time of her anticipated arrival naturally excited many fears and surmises, which as time passed on, made each one more certain that some disaster had befallen them.

"Two brass howitzers were also carried to the prairie to fire the usual salute. When the procession reached Fort Nisqually they stopped, gave three cheers and waited sailor like until it was returned. This was done by only a few voices, a circumstance which did not fail to produce many jokes among the seamen.

"On reaching the grounds various games occupied the crew, while the officers amused themselves in like manner.

"At the usual hour dinner was piped when all repaired to partake of the barbecue. By this time the Indians had gathered from all quarters and were silently looking on at the novel sight and wistfully regarding the feast which they saw going on before them. At this time a salute was fired, when one of the men, by the name of Whitehorn, had his arm most dreadfuly lacerated from sudden explosion of the gun.

"This accident put a momentary stop to the hilarity of the occasion. Dr. Fox, who was on the ground, thought that an amputation of the arm above the elbow would be necessary, but it was deemed better to delay it for a time. The wound was dressed as well as it could be, and a litter made on which he was at once sent under charge of his messmates to the ship.

"Men-of-War's men are somewhat familiar with such scenes, and although this accident threw a temporary gloom over the party, the impression did not last long, and the amusements of the morning were now exchanged for the excitement of horseracing, steeds having been hired for the purpose from the Indians. This sport is always a favorite with sailors on shore and in pursuit of it they had not a few tumbles, but fortunately none were seriously hurt. At sunset they all returned on board in same good order they had landed.

"All the officers, together with Mr. Anderson, Capt. M'Niel and Dr. Richmond, dined with me at the Observatory, and we were in hope of having the company of Dr. McLaughlin, but owing to his having lost his way he did not arrive til following morning. He was gladly welcomed, and it gave us all great pleasure to acknowledge the attentions that had been heaped upon us by his orders, and the kindness of the officers of the fort."[39]

Joseph G. Clark, who was a seaman with the Wilkes Expedition and present at the celebration at Nisqually, July 4, 1841, says:

"July 4th [1841] coming on Sunday we celebrated the 5th. Commencing in the morning with a national salute of twenty-six guns which were fired at the Observatory on shore. Capt. Wilkes gave a dinner and invited the officers to it. An ox was roasted whole for the crew on a plain about one mile from the ship. At 9 o'clock every man and officer was ordered on shore, except Mr. Vanderford, who was left in charge of the ship. On landing the men proceeded up the hill to the Observatory, where Capt. Wilkes was residing, there to await his orders. At 10 oclock the procession was formed and marched in order, the star-

[39]Narrative of the United States Exploring Expedition During Years 1838, 1839, 1840, 1841 by Charles Wilkes, U. S. N. Philadelphia, 1845, Vol. 4, p. 411, etc.

board watch in advance, the marines in center, the larboard watch bringing up the rear. We proceeded through a narrow strip of woods for about half a mile, when we came to the Company's fort; there we halted and formed in front of it, and gave three cheers which were returned by people in the fort, and answered by us. The procession was again formed and marched as before, about one mile further when we came to a deep valley, crossing which we came to a plain several miles in circumference in which Doct. Richmond's house is situated. Here was the place intended for the exhibitions of the day; various kinds of amusements were proposed, in which Capt. Wilkes took an active part. Everything went well for a time and bade fair for a day of recreation and pleasure, but soon an accident occurred which could not but disturb the feelings of all. At 12 oClock, when firing a salute Daniel Whitehorn, Jr., gunner, while loading one of the guns it accidentally discharged and lacerated his forearm very seriously. All the integuments, from midway of the forearm to wrist, were blown off—the carpal extremity of the ulna exposed for about two inches upon outer face. All the tendors for about three inches from corpus were much torn. The surgeon having thoroughly examined the wound decided that it was his duty to recommend the removal of the limb. At the time the accident happened the weather was quite warm and tetanus was to be apprehended. All the large blood vessels were either carried away entirely, or much injured and the consequence of an attempt to save the arm was much to be dreaded. Dr. Richmond, physician to the mission family, was called upon who agreed in opinion with our surgeon, that amputation was the only means to insure life. The doctors then stated to the patient their views of the case and recommended an operation. He declined for the present and chose to risk an attempt to save the limb.

"The amusements proceeded but not with that spirit with which they were commenced; a deep melancholy seemed to mark the countenance of many. Whitehorn was much esteemed by all his shipmates."[40]

He survived.

JULY FOURTH, 1846

The following extract is from an address of Hon. S. F. Chadwick before the first annual reunion of the Pioneers of Oregon, at Butteville, Marion County, Oregon, November 11, 1873:

"On the 4th of July, 1846, months before you received the news of the adoption of the treaty of the 15th of June preceding, and while

[40]Clark (Joseph G.), Lights and Shadows of a Sailor's Life. Boston, 1859, p. 218. For another account see George M. Colvocoresses' "Four Years in a Government Exploring Expedition" [New York, 1852], p. 236.

you were yet ignorant of what had taken place in regard to Oregon, you celebrated, in a heavy rain, the Anniversary of American Independence. The Oregon Rangers, a military company organized in May previous, were out in force, and despite the inclemency of the weather, acquitted themselves creditably. There is nothing in rain to deter an Oregonian from pleasure or duty. There may be some of that company here today. This celebration was not for display. It was not mere pomp and parade to gratify the applause of men, for this small band embraced a good portion of the Settlers. Nor was it an idle pastime. It was social in its nature, sincere in its object and eminently patriotic. These pioneers were repeating for the purpose of preserving, the traditions of their fathers in a land which, for aught they knew was still claimed, as it had been, by Great Britain, and liable to fall in part or wholly into her hands through the skill of diplomacy, or by arbitrament of war. What a Fourth of July that would have been to you, had you but known that your own land —your Oregon—had, like that of your fathers, been conceded to you by the only adverse claimant among the powers of the earth; that the Government of your fathers was now yours, and that the day you were celebrating was legitimately a day for Oregon."[41]

JULY FOURTH, 1852

The following extract is taken from W. H. Gilstrap's paper read before Pierce County Pioneers' Association, July 5, 1906:

"While there may have been social gatherings, horse racing or a dance on Fourth of July anniversaries by the early settlers, the first regular Fourth of July celebration, held in what is now the State of Washington, after American citizens settled here, was held in Olympia, July 4, 1852.

"It was a great event; a celebration that would be a credit in older communities. Quite elaborate preparations were made. One of the streets was set apart for the occasion. An arbor was made by setting posts in the ground and putting poles across, on which were placed fir boughs. This arbor was the width of the street and about 150 feet long. One or more oxen were barbecued. The celebration attracted settlers from all parts of Northern Oregon and from the down-Sound settlements.

"The late Daniel R. Bigelow of Olympia was the orator of the day. Simpson P. Moses read the Declaration of Independence and Frank Shaw acted as marshal. After the ceremonies of the day had been concluded,

[41]Constitution and Quotations from the Register of the Oregon Pioneer Association, 1875. Salem, Oregon, 1875, p. 18.

an enthusiastic meeting was held and the division of the territory discussed."[42]

JULY FOURTH, 1853

The following is an interesting account of a Fourth of July celebration held at Shoalwater Bay, Washington Territory, as recorded by Hon. James G. Swan, who was present:

"After my return [to Shoalwater Bay, Washington Territory] from Chenook, nothing of any particular interest transpired till toward the first of July, when it was anonunced to me that the boys, as the oytsermen were termed, intended celebrating the 4th of July at my tent; and accordingly as the time drew near, all hands were engaged in making preparations; for it was not intended that I should be at the expense of the celebration, but only bear my proportionate part.

"The day was ushered in by a tremendous bonfire, which Balat and myself kindled on Pine Island, which was answered by everyone who had a gun and powder blazing away. Towards two o'clock they began to assemble, some coming in boats, others in canoes, and a few by walking round the beach, which they could easily do at any time after the tide was quarter ebb.

"Each one brought something, one had a great oyster pie, baked in a milk-pan; another had a boiled ham; a third brought a cold pudding; others had pies, doughnuts, or loaves of bread, and my neighbor Russell came brining with him a long oration of his own composing and half a dozen boxes of sardines. When all were assembled, the performances were commenced by the reading of the Declaration of Independence by Mr. St. John, extracts from Webster's oration at Boston on Adams and Jefferson, then Russell's oration, which was followed by a banquet and after that a feu-de-joie by the guns and rifles of the whole company. These ceremonies over, it was proposed to close the performance for the day by going on top of the cliff opposite and make a tremendous big blaze. This was acceded to, and some six or eight immediately crossed the creek and soon scrambled to the top of the hill, where we found an old hollow cedar stump about twenty feet high. We could enter this on one side, and found it a mere shell of what had once been a monster tree. I had with me a little rifle which measured stock and all but three feet long. With this I measured across the space and found it was six lengths of my rifle, or eighteen feet, and the

[42]Commemorative Celebration at Sequalitchew Lake, p. 46.

tree undoubtedly when sound, must have measured, with bark on, at least sixty feet in circumference.

"We went to work with a will, and soon had the old stump filled full of dry spruce limbs, which were lying about in great quantities, and then set fire to the whole. It made the best bonfire I ever saw; and after burning all night and part of next day finally set fire to the forest, which continued to burn for several months, till the winter rain finally extinguished it. The party broke up at an early hour and all declared that, with the exception of the absence of a cannon, they never had a pleasanter 'fourth.' "[43]

Mr. Thomas W. Prosch has contributed a paper to the Pierce County Pioneer Association on Later Celebrations in Pierce County, Washington.[44]

GEORGE W. SOLIDAY.

[43]Swan (James G.), North West Coast, or Three Years' Residence in Washington Territory, New York, 1857, p. 133. Swan also mentions following persons living on Shoalwater Bay at the time: Joe, a Dane, p. 43; Captain James S. Parrington, p. 49; Captain Russell, p. 33; Joel L. Brown, p. 64; Samuel Woodward, Henry Whitcomb, Joel Bullard, Mark Bullard, Captain Jackson, James Wilson, Captain Charles Stewart, Captain David K. Weldon and (the first lady), p. 64; George Walkins, p. 65; George G. Bartlett, Stephen Marshall, p. 69; John W. Champ.-Baldt., p. 97.

[44]Commemorative Celebration at Sequalitchew Lake, Pierce County, Washington, under auspices of the Pierce County Pioneer Association. Compiled by R. L. McCormick and W. H. Gilstrap, p. 15.

THE STORY OF THREE OLYMPIC PEAKS

The countless thousands who, from year to year, admire the three prominent peaks at the southeastern end of the Olympic Range would find themselves gazing at the wonderfully beautiful picture with even keener rapture if they but knew a part of the history interlocked with the names these peaks bear—Ellinor, The Brothers, and Constance. There are probably no other geographical features in the Pacific Northwest whose names involve a richer history. A beautiful and tender modesty screened the identity of the personalities behind those names, while a single one of the four people survived. The last of the four was gathered to her fathers two years ago, and it is now possible to learn who were the people whose names have become so well known as geographical terms.

In the first place let us see when and by whom the names were given to the mountains. The most accessible source is the Pacific Coast Pilot, which says: "When a vessel is going northward, and is clear of Vashon Island, the Jupiter Hills show over Blake Island, with Mount Constance to the southward."[1] A little further on the same work says: "Behind the Jupiter Hills is Mount Constance, 7777 feet elevation; The Brothers, 6920 feet, and Mount Ellinor, estimated at 6500 feet. These great masses, rising so abruptly in wild, rocky peaks, are marks all over Admiralty Inlet and Puget Sound, but seem to overhang the main part of [Hood] Canal. The Brothers, a double peak, is less than seven miles from the water."[2] Similar information is given in the reports made at the time of the surveys.[3] The author of the reports and of the Pacific Coast Pilot was the same man and he was appealed to for information about the persons honored by those names. In a long correspondence, covering many points of historical geography, the nearest that Professor Davidson would come to giving the facts about the names of the mountains was this: "I may add that while in charge of the survey in that region I had command of the U. S. Coast Survey Brig 'R. H. Fauntleroy,' and that the names refer to his family."[4]

In the same letter he says: "In 1853-57 I conducted the triangulations from Point Roberts to Nisqually. About 1856 I observed from sev-

1Pacific Coast Pilot by George Davidson, Assistant United States Coast and Geodetic Survey, fourth edition, Washington, 1889. P. 612.

2Ibid, p. 629.

3Annual Report of the Superintendent of the United States Coast Survey for 1857, p. 115.

4Letter from Professor George Davidson dated at San Francisco, February 28, 1903.

eral stations to determine the position and elevation of prominent peaks, with these results and names given by me to them: Mount Constance, 7777 feet from Point Hudson and 7794 from Point Wells; I adopted 7777 feet merely because it would readily be recalled; The Brothers, S. W. Brother, 6920 feet; Mount Ellinor, 6312 feet."

In the same series of surveys, Fauntleroy Cove was named in honor of the little brig. The record reads: "'This slight indentation on the east side of the sound is between Point Williams on the north and Brace Point on the south; the distance apart of these points is a little over three-fourths of a mile, and the shore recedes a quarter of a mile to the eastward. The immediate shore is low, except under Point Williams, where the bluff reaches the water. We found good anchorage here in ten and twelve fathoms of water; but when on the range of the two points the depth increases and the bottom drops away suddenly outside. Fresh water is easily obtained in the vicinity. We named this cove in 1857."[5]

Anchored in that cove the young geographer looked across the water to the beautiful mountains he had named and his heart throbbed with joy. We feel sure of that now, for his recent death sent us looking up his own personal history and it was learned that in one year after he had named the cove he was married to Ellinor Fauntleroy.[6] In a comparative wilderness he had bestowed upon geographical features the names of his sweetheart, her sister, her two brothers and her father. That sweetheart kept his home bright for almost half a century, preceding him to the grave in 1907.

Professor Davidson died on December 1, 1911, since which time the correspondence has been carried on with his surviving daughter, who bears the name of her mother and the mountain—Ellinor. She says the Survey Brig "was named after my grandfather, Robert Henry Fauntleroy, who was an officer of the United States Coast and Geodetic Survey, and under whom my father acted as aid when starting on his career. He was of old Virginia stock and a man of considerable ability in many lines (mathematical, engineering, musical, inventive) apart from his profession. He married the daughter of Robert Owen, the socialist and philantropist."[7]

Here she has introduced a wide vista for those who would know all that the names of those mountains suggest. Most scholars know something of the social reform work of Robert Owen at New Lanark, Scotland, and at New Harmony, Indiana. This last was referred to as "a success-

[5]Pacific Coast Pilot, p. 613.
[6]Who's Who in America for 1912-1913, p. 519.
[7]Letter from Ellinor Campbell Davidson, dated at San Francisco, June 11, 1913.

tul failure" by Professor Barnes of Stanford University. Besides these practical efforts to benefit the condition of his fellow men, he wrote many books, all with the same humanitarian bent. He was aided by his son, Robert Dale Owen, who achieved a remarkable career before his death in 1877. While a member of Congress he introduced a joint resolution on the Oregon question that facilitated the settlement of the boundary in the treaty of 1846. He joined forces with John Quincy Adams in securing the legislation to establish the Smithsonian Institution. He was very much in favor of the emanciptation of the slaves and early in the Civil War he wrote a letter to President Lincoln on that subject. Secretary of the Treasury Salmon P. Chase says the Owen letter "had more effect in deciding the president to make his proclamation than all the other communications combined."[8] Robert Dale Owen also wrote many books. His speeches, especially on the Oregon question, had a wide circulation. Two brothers, David Dale Owen and Richard Owen, became famous as early American geologists. It was into this family of remarkable talents that Robert Henry Fauntleroy married.

On the death of Lieutenant Fauntleroy his widow took the four children to Germany to complete their education. The two boys, Arthur and Edward, "The Brothers," both died unmarried. Arthur became a civil engineer. He died in 1884 at the age of forty. Edward came to the Pacific Coast as an aid to Mr. Davidson. He died in 1861, a little under twenty years of age. As already stated, Ellinor was married to Mr. Davidson in 1858. Miss Davidson writes:

"My mother was always more or less of an invalid, but had the spirit and spiritual insight for a poet, a finely tuned mind, impartial in an abstract sort of way and leaning to the metaphysical. Her knowledge of life and the world made her inclusive rather than exclusive—an universalist in religion and deed. I like to think of her as always smiling, gracious, gentle in her judgments and holding herself in firm control, radiating the finer things we look up to and take inspiration from. Hers was essentially a private life, while Mrs. Runcie's was a public one."[9]

The Mrs. Runcie referred to was Constance Fauntleroy. She was born in Indianapolis, January 15, 1836, and died at Winnaka, Illinois, May 17, 1911. Her long life was spent wholly in the Middle West of the United States, except the five years of schooling in Germany. On April 9, 1861, she was married to James Runcie, D. D., a clergyman of the Protestant Episcopal Church. She had a brilliant career, but will probably be remembered longest as having organized the first permanent

[8]Appleton's Cyclopedia of American Biography, IV., p. 616.
[9]Letter from Miss Davidson, June, 1913.

woman's club in America. In 1859 Constance Fauntleroy organized the Minerva Club at New Harmony, Indiana. This was nime years before the famous Sorosis Club was organized in New York. A delegation from a late biennial meeting of the General Federation of Women's Clubs went to New Harmony to do honor to her old home. Mrs. Runcie was further recognized by being chosen an Honorary Vice President of the General Federation of Women's Clubs. The Federation of Women's Clubs of the State of Washington might well perpetuate the honoring of this notable pioneer in their work by searching out ways to make known the beauties of Mount Constance.

Mrs. Constance Fountreloy Runcie also organized the Bronté Club of Madison, Indiana, in 1867, and the Runcie Club of St. Joseph, Missouri, in 1894. Of the last she was made "perpetual president." She was the author of a number of books in prose and verse. Her poems—Anselmo, the Priest," and "Zaira—A Tale of Siberia"—have been given frequently from various platforms. She was also a composer of note, some of her principal works being the opera "Incognito," the cantata "We Have Sinned Unto Death," and many songs, such as "Take My Soul, O Lord," "Invocation to Love," and violin and piano solos. Everyone who admires Mount Constance should be pleased to know that it bears the name of a woman of splendid talent who gave to her fellows a long life of useful service.

The man who conferred those interesting names on the three Olympic peaks had a wonderful career of valuable service, mostly on the Pacific Coast. George Davidson was born in England in 1825. He came to the United States in 1832 and graduated from the Central High School of Philadelphia in 1845. Before his retirement from active work he had been made a member of many learned societies throughout the world. He started his career as Secretary to Professor A. D. Bache, Superintendent of the United States Coast Survey in 1845. His activity in that branch of service, in geodesy, field, and astronomical work, continued in the Eastern States until 1850, when he was transferred to the Pacific Coast. On this coast he was active for a period of forty-five years and was in full charge of the work from 1868 to 1895. The University of California recognized his ability by making him Honorary Professor of Geodesy and Astronomy in 1870. The same university created for him the Chair of Geography in 1898. He also served that institution as a Regent from 1877 to 1884. When Roald Amundsen visited San Francisco after his discovery of the Northwest Passage, the first man he asked for was Professor Davidson. Seafaring men held him in high esteem, as

did all others who knew of his character and his great record of achievement.

His greatest book, the Pacific Coast Pilot, is one of his best monuments. Here is how he tells about writing it: "The first edition of the Directory of the Pacific Coast of the United States was undertaken while I had command of the United States Survey Brig 'R. H. Fauntleroy' during the years 1854-'58. It was written wholly outside of official hours and official duties, and part of it was first published in one of the daily journals of San Francisco."[10]

The three interesting peaks are in full view of the City of Seattle. Moreover, the city has expanded until it includes Fauntleroy Cove and street cars run regularly to Fauntleroy Park. Who can measure the full value to be inherited by generations of citizens who may stand on the shore of that cove and, while enjoying the picture of the sun setting behind the distant peaks, recall the charm of the names—Constance, Ellinor, and The Brothers? EDMOND S. MEANY.

[10]Pacific Coast Pilot, p. 7.

STORIES AND SKETCHES FROM PACIFIC COUNTY

[Isaac H. Whealdon is an old settler in the Willapa country. For the benefit of posterity he has written down these stories and sketches, which, through his friend, T. C. Elliott of Walla Walla, he has transmitted to the Washington Historical Quarterly. After this article was in type news was received that the aged pioneer author met a tragic death near Willapa on June 15, 1913.—Editor.]

The Sunset-Pacific Monthly has in its issue for May, 1912, an article on the Tomanowos rose and how it came into existence. This communication by Samuel M. Evans is introduced by a beautiful legend—The Breath of the Chinook—and this legend brings to my memory one related to me by an old Indian named Matil.

A long, long time ago there was no peninsula or bay or Indians, but one day there came from the siah cold illahee [far cold country] a big canoe with a hundred warriors with their klootchmen and papooses. They tried to enter the Columbia, but hiyu winds, hiyu skookum pe-wake, yaka charco copa [but great strong winds prevented an entrance] Columbia. So they paddled ashore just where the hill and rocks terminate at the south end of what is now the peninsula. Here they moored their big canoe, tying the stern to the rocks at the south and anchoring her bow to the north. Caching their paddles and other things in a cave in the rocks, they took the old Indian trail for the Columbia river and what is now old Chinook.

After many moons they returned, charco miami, halo, kanim. Yaka nanich okok kanim yaka clatawa keekwulee icta tenas sandspit. No, there was not a sign of their canoe, only they found a little sandspit with a clam bed and the ocean on the west. A few small pine trees grew on top. At the east were some bushes with hiyu olallies of a bright red color. These were cranberries. A little father out to the east, tenas siah mitlite tenas chuck. This was only a little water, but 'tis now Whealdon's Pond or Black Lake. When the Indians saw this they built a house on their sand sunken canoe and their children grew and multiplied and as the tribe grew so grew the tiny sandspit and a little bay was formed which became a mighty water. So from the big canoe grew the peninsula and the bay and from the one hundred Indians grew the Shoalwater tribe.

Acelan's Story

There used to be an Indian about Oysterville some forty years back, who was undoubtedly of the royal family.

This young man was, for his chance in life, very intelligent; he had quite a little farm cleared up and in cultivation, and had planted a nice little orchard. It was situated on the place now owned by Mr. John Hill, a little above the Nasel Landing and known as the I. H. Whealdon homestead.

But to our story—I once asked Acelan about the earliest account the Indians had of the first white men to visit our bay, and this is the story he told:

"Ahncuttie ict tenas schooner, yaka charco siah copa cold illahee"—(a long time ago a little schooner came from a cold country far to the north).

She hove to, just outside our bar, lowered away a whale boat and manned it with "toltum tillicums" (110 men), pulled over the bar into what was first called Lighthouse Cove, but now North Cove, which was then a fine landlocked harbor.

It was "tenas sun" (early morning) when they crossed, so they remained here all that day, trading with the Indians for fish, clams, and deer and elk meat. Acelan said they seemed to be "hias hungry," he also told that they had very long beards and said they were neither Boston nor King George men. That they were "Lushan Tillicums,' 'and no doubt they were Russians and the vessel none other than the "Juno," bought by Count Von Baranoff from Captain De Wolf, an American who sailed into Sitka. Rizanoff and his garrison at Sitka castle were starved out in the winter of 1815-6 and started in the "Juno" for the Columbia river, but then, as now, the water was rough, and so only their whale boat entered and got supplies from the Indians who have always been good and kind to the whites.

This, in brief, was Acelan's account as handed down to him by the Indians of the first white men to enter Willapa Harbor.

Historical Sketches

The first white man to permanently locate on land in Pacific County was John E. Pickernell. He settled at the mouth of the Wallicut river, probably about the year 1842. He has told me that the only man, at that time, who spoke the English language with whom he met was a negro named Saul, who was living nearly where the officers' quarters now stand at Fort Canby.

The first vessel to enter Shoalwater Bay for oysters was the barque "Equity," commanded by Captain Hansen. The ill fated brig, "Robert Bruce," came before Hansen with the "Equity." She arrived at Bruceport December 11, 1851. Her officers consisted of: John Morgan, captain; Sam Winneat, first mate; Thomas Foster, second mate; and for crew, Dick Hilliard, Mark Wineat, Frank Garitson and Dick Millwood. But this vessel took out no oysters, as she was set afire by the cook, an Italian, who escaped in the small boat and was never heard of again. The officers and crew were taken off the burning vessel by the Indians. They landed on the south side of North Shoalwater Bay and founded Bruceport. The first shipment of oysters was made by Captain Morgan and Sam Wineat in the schooner "Equity" about May 12, 1852.

Captain Weldon located at Hawks' Point on the north side of North Shoalwater Bay, just west of the mouth of North river, in the year 1852. With him came Captain Crocker and V. S. Riddell. Weldon got out and shipped to California a cargo of piling on the barque "Palus" with himself as master of the vessel. This was the first shipment of lumber of any kind from our county. Weldon commenced the construction of a water mill in Smith's creek in 1853, but this mill was never finished.

Pacific City was platted in 1851 by J. D. Holman, who settled in 1850. E. G. Loomis and another man, whose name has escaped me. But before the plat was made Mr. Holman had completed a fine and substantial hotel of one hundred rooms. This hotel, however, was afterward burned by United States troops, Mr. Holman receiving indemnity from the government. E. G. Loomis, Mr. Holman, and the other individuals built at Pacific City the first steam saw mill ever built in Pacific County. It was afterward moved to the John Crellins Donation Claim, near Nahcotta.

Captain James Johnson, the first Columbia river bar pilot, settled at Whealdonsburg, that is, Ilwaco, in the year 1848 and was drowned off the Columbia river bar by the capsizing of his pilot sloop in the year 1854.

The first court convened in Pacific County was held at Chinook in the spring of 1853, and was presided over by Judge Monroe, a Kentuckian, appointed by President Pierce. Court was held in Job Lamley's dwelling house. Job Lamley, first sheriff of our county, had the summoning of the first jury. Many years afterward he gave me their names as he then recalled them to his memory: John Mildrum, foreman; Henry Feister, who was our first representative and county clerk; E. G. Loomis; William Edwards, who was afterward murdered by Indians; Hiram Brown; John

V. Pickernell; Henry Neese and Thomas Martin. All that was done at this term of court was that the grand jury found two true bills.

As our first representative, J. W. Cruthers was elected, but died before taking his oath of office. Then Henry Feister took the place, but fell dead just as he was stepping up to the bar to take the oath of office. Finally James C. Strong was elected and served his full term, thus really making him Pacific County's first representative in the state legislature.

The first salmon cannery in this county was built at Chinook by Ellis, Jewett and Chambers in the year 1870, J. G. Megler joining them in 1871.

The first salmon packed in salt was put up by Patrick J. McGowan in 1854, and was shipped in the "Jane A. Falkenburg." This last date may be wrong.

ISAAC H. WHEALDON.

DID DANIEL WEBSTER EVER SAY THIS?

[The following article was published in the Seattle Post-Intelligencer March 10, 1907. Since then it has often been sought and is here reproduced for those who failed to save a copy on its first publication.—Editor.]

"What do we want with the vast, worthless area, this region of savages and wild beasts, of deserts, of shifting sands, and whirlwinds of dust, of cactus and prairie dogs? To what use could we ever hope to put these great deserts, or these endless mountain ranges, impenetrable and covered to their base with eternal snow? What can we ever hope to do with the Western coast, a coast three thousand miles, rockbound, cheerless and uninviting and not a harbor on it? What use can we have for such a country? Mr. President, I will never vote one cent from the public treasury to place the Pacific coast one inch nearer to Boston than it is now."

The recent death of Dr. Henry M. Field, of New York, a member of the distinguished Field family and an editor and writer of note, calls again to mind the query whether Daniel Webster ever used the language of the above quotation which appears on page 173 of Dr. Field's book entitled, "Our Western Archipelago." The same quotation is given upon pages 518-19 of H. H. Bancroft's "Chronicles of the Builders." In both books the statement is made that a bill was pending before congress for the establishment of a post road from the west line of Missouri to the Pacific ocean, and that upon the floor of the senate Mr. Webster broke out as follows; and Mr. Field gives the year of this speech as 1844.

Some interesting information as to how Mr. Field came to use this alleged quotation is given in some memoranda of the late Prof. William I. Marshall, of Chicago, from which the writer is privileged to copy. Mr. Marshall's notes read: "I have received a letter from Rev. H. M. Field, who says his only authority is a letter from some one whose name he has forgotten. P. S.—A later letter from Dr. Field gives one George L. Chase, of Hartford, Conn., as his authority, November 16, 1896. I have received a letter from Mr. George L. Chase, of Hartford, Conn, stating that he sent the quotation to Dr. Field without in any manner indorsing it (as it seemed to him very unlike Webster's style), but only to get Dr. Field's opinion on its authenticity and with no expectation that Dr. Field would publish it."

The late Rev. Myron Eells of Twana, Wash., used this same quo-

tation in almost the same words as given herein in his "Reply to Bourne," page 82, published by Whitman College in 1902, but with this footnote: "The writer cannot give the book and page where this is to be found. It is a part of a reply of Mrs. C. S. Pringle to Mrs. F. F. Victor's attack on Dr. Whitman, written December 1, 1884, which the writer has in manuscript." Mrs. Pringle is an elderly lady reported as now living near or in Spokane, Wash.; she is one of the survivors of the Whitman massacre. Her authority for the speech is not known even to her, according to Mr. Eells, who knew her well and questioned her about it. In another connection Mr. Chase is reported to have said that he read the article containing the speech while upon a journey to the Pacific coast and there is a possibility that it is Mrs. Pringle's article that he sent to Dr. Field. It is even possible that Mr. Bancroft took it from Mrs. Pringle; the "Chronicles of the Builders" was copyrighted in 1890 and published at San Francisco in 1891, and "Our Western Archipelago" was published for the first time by Scribner's in 1895.

It would be interesting to mention the further use that has been freely made of this quotation is post-prandial efforts, in addresses before college students and Sunday school scholars, in newspaper discussions and even in books that claim to be histories as illustrating the ignorance and intolerance of Eastern statesmen to the physical and political value and character of the Pacific Northwest during the early '40s, and the indifference of Mr. Webster at the time he negotiated the Ashburton treaty and in later years; but such mention might be taken in the light of controversy. Suffice it to say that there seems to be no reason to believe that Mr. Webster ever used such language, and readers of Northwest history have known this for some years.

Mr. Webster was a member of the senate from 1828 until February 22, 1841, when he resigned to become secretary of state under the Harrison administration. He continued in the same office under President Tyler until May 8, 1843, when he resigned, and again returned to the senate in March, 1845, as the successor of Mr. Choate.

Mr. Webster was a member of the cabinet of President Tyler and was engaged in negotiations with Lord Ashburton in 1842 when Lieut. Charles Wilkes, of the United States navy, filed his official report of the official exploring voyage made under his command, which included a very extensive examination of the Puget Sound and Columbia River waters and the countries adjacent thereto and of the coast of California; and of San Francisco Lieut. Wilkes reported there to be "one of the finest, if not the very best harbor in all the world." In view of this

circumstance alone it is not probable that Mr. Webster ever said what this quotation reports him as saying.

Mr. Webster was a man of very dignified bearing and speech and the style of this quotation does not compare at all with his common form of expression. Further than that, the speeches of Mr. Webster upon the floor of the senate are a matter of record in the Congressional Globe and Debates in Congress and a careful search has been made for this speech, and it has not been found, and scarcely anything by him that can be called disparagement of the Pacific Coast has been found. The first bill to establish post roads from the western line of the state of Missouri to the mouth of the Columbia River originated in the committee of the senate on postoffices and post roads, and was introduced in the senate on March 2, 1846, and no such speech by Mr. Webster has been found in connection with that bill.

Our query is of small importance in itself, but it has a bearing upon Northwest history as against the theory that the Oregon country or Columbia River country, as it was originally called, was saved to the United States by any one person or by any one event; particularly because students of the diplomatic side of our history are saying more and more that the term "Saved Oregon" is an erroneous one. Daniel Webster was a very important factor in the negotiation of the treaties which settled our Northeastern and Northwestern boundaries with England; more influential than either President Tyler or President Polk in that particular issue. The Ashburton treaty was distinctly Webster's own, and in 1846 Mr. Webster was in the senate when President Polk referred the question to that body before he undertook to negotiate finally the Treaty of Washington. Henry Cabot Lodge, a scholar and himself a writer of history, in his biography of Mr. Webster (Amer. Statesman series, Vol. 21, page 257-8), says: "In regard to the Northwestern boundary, Mr. Webster agreed with the opinion of Mr. Monroe's cabinet that the forty-ninth parallel was a fair and proper line." And historians generally agree with him. Some of the direct relations of Mr. Webster with this question may be mentioned in a subsequent paper."

C. T. JOHNSON.

DOCUMENTS

The original of the following letter was recently secured by Thomas W. Prosch of Seattle. It has been published in part in L. G. Tyler's "Letters and Times of the Tylers," Volume II., pages 48-49. That work was issued in limited numbers and is not very accessible in the Pacific Northwest. The letter is printed here in full as the text of an interesting document that has found its way into one of the local collections and especially because it reflects some of the diplomatic interest that prevailed just before the Treaty of 1846 was completed:

Letter From John Tyler to His Son

Sherwood Forest, Dec. 23, 1845..

My Son:

Letty passed up the James on Saturday and I committed to her care for you a box containing a dozen bottles of 27 year old wine to be drunk on Mr. Cooper's visits to Bristol. Ask his kind remembrance of me whenever he takes a glass of it, and give him the assurance of my high respect and regard for him always. I had flattered myself that you would have received it in time for Christmas, but Letty so long delayed her return that all hope of it finally vanished. I fear that the ice will still further detain her, as it has been exceptionally cold for some days—so much so as to freeze the steamboat up at Richmond and thus I fear to deny me the happiness of seeing Mr. Waller and his family during the hollidays. They were to have reached us today.

You have now seen the whole of the diplomatic correspondence relative to Oregon, and can better appreciate the unguarded expressions in the message as to my offers of compromise. None was in fact ever made, yet when it was believed that the negociations were to be conducted in London Mr. Everett was authorized to feel the pulses of the B. Ministry as to the 49 degree. I have no recollection of his having so far advanced with the negociation as to have submitted formally any proposition—and yet the language of the message very clearly embraces me in its terms. Buchanan's last letter to Pakenham is more definite and precise. It is an able vindication of the American claim and leaves G. Britain without any strong pretense to title. He might have more strongly retorted the inconsistency of her claim under the Nootka Sound convention and McKenzies exploration of Fraysers River. The letter however is very able—and yet it is altogether too late to say that the question is not one of compromise. By the

very terms of the Treaty of Ghent by which Astoria was restored to us, it is made a subject of negociation. I think it would be a high stroke of policy to interest G. B. in our negociation with Mexico so as to lead her to concede California and thus to bring about a tripartite Treaty, acceding to G. B. the line she offers and our taking California G. B. to pay so much towards the purchase. It would require great skill to bring this about. I ask now no other basis for negociation, with Mr. Polk holding the opinions he does, and I fear a war for the whole would lose us the whole. These are speculations for yourself but time will take care of itself as it always has done, and my trust is ever one in an overruling Providence.

I have heard nothing of or from John since he left me. My hope is that he intends to surprize me by obtaining his license. He requires nothing but doing his duty to insure success. Neither Julia or myself have of late been well. I suffer from catarrh, but am not confined to the house. My dependence is now on the plough, and there is wisdom in the old lines— "He who by the plough would thrive: Must either hold the reins or drive."

Give my love to Pris and Tish.

Yr. Father
J. TYLER.

How do you come on in your profession?

Robert Tyler, Esq.
Att. at Law
Philadelphia
Penna.

BOOK REVIEWS

A PICKED COMPANY. By Mary Hallock Foote. (Boston, Houghton, Mifflin Co. 1912. Pp. 416. $1.30.)

This story has to do chiefly with the journey of a band of immigrants to Oregon in 1842 and with their settlement in the valley of the Willamette. Much of the journey was made without expert guidance and through numberless perils and difficulties. Little has been written of it, so much has it been overshadowed by the larger and more important immigration of 1843, for which it paved the way. Says Medorem Crawford: "The departure of our company for Oregon was extensively published and commented on throughout the western states and our safe arrival here was reported by Dr. Whitman, who returned that fall and winter, hence the next emigration had the knowledge that one company had safely preceded them."[1]

That this most interesting expedition should have been made the subject of a novel by Mrs. Foote naturally arouses a considerable degree of anticipation. A disappointment awaits the reader, however, for he speedily discovers that the historical background is of the slightest. Nearly a fourth of the book is taken up introducing the principal actors in their New England home. The account of the journey across the plains is just full enough to furnish a vehicle for the story, following closely the authentic record, the diary of Medorem Crawford.[2]

Few known historical characters appear. Doctor Whitman blows in and out of the tale in a single chapter, a bluff and breezy man, portrayed most excellently, like all the characters, by what he says and does. The plot does not directly involve the political questions of the day, and they are left so far as possible out of the story. Occasionally, when a few historical facts are needed, they are put in, neatly condensed into a paragraph convenient for skipping.

The reader of the author's earlier books will look here in vain for the poetic charm that characterized such stories as The Chosen Valley and A Led Horse Claim, stories which cast over the reader the spell of great empty plains and wildernesses. Perhaps the author is less at home in the Oregon country than on the plains of Colorado. At any rate, her appreciation seems that of an outsider, and her slight descriptions give no feeling of intimacy.

1Occasional Address. Ninth Annual Meeting, Oregon Pioneer Association, 1881, p. 16.
2Journal of Medore mCrawford. Sources of the History of Oregon, Vol. I., No. 1, Eugene, Ore., 1897.

The primary purpose of the writer seems to have been the production of a popular novel. Except for an occasional dull conversation, anything that might be expected to weary a reader impatient for the next development of the tale has been carefully eliminated.

Of plot there is little. The play of character upon character furnishes the chief motive force of the story. It is indeed in its drawing of types of character that the chief merit of the book consists, both from the standpoint of the historian and from that of the casual reader. There is here a careful and just appreciation of the qualities of those strong men and women who settled and held the Northwest for the nation. The influence of the missionaries and of those they drew after them is given its full due. To have helped to an appreciation of the services of these early pioneers is in itself justification enough for the book. A story as popular in character, and put out by so well known an author and publisher, is likely to have a considerable circulation and will help, no doubt, to call attention throughout the country to an interesting period in our history.

CHRISTINA DENNY SMITH.

ALASKA, AN EMPIRE IN THE MAKING. By John J. Underwood. (New York, Dodd, Mead & Co. 1913. Pp. 440, $2.)

In this book the author paints, in very bright colors, a picture of Alaska as he sees it and as others like him will see it in the future. He grows quite eloquent over the resources of that country and the wonderful possibilities of that region. (Incidentally, the Puget Sound country, and especially Seattle, comes in for a share of boosting.) The book has its value in that it shows how certain people regard Alaska; its defect consists in not giving the other side of the story. For the impartial historian the book has no value. The author has not taken pains to consult the best historical books on Alaska, and his chapters on the history of Alaska are very misleading.

FRANK A. GOLDER.

ANTOINE OF OREGON: A STORY OF THE OREGON TRAIL. By James Otis Kaler. (New York, American Book Co. 1912. Pp. 149. 35 cents.)

Under the pseudonym of James Otis, Mr. Kaler has written the story of a supposed trip over the Oregon Trail in the year 1845. While the narrative is fictitious, it is carefully based upon known historical and geographical facts and furnishes a useful supplementary reading book for

the grades. The book was published but a few months before the death of Mr. Kaler, the well known author of "Toby Tyler" and other stories for boys.

SEVENTEENTH ANNUAL REPORT, 1912, OF THE AMERICAN SCENIC AND HISTORIC PRESERVATION SOCIETY. (Albany, N. Y., The Argus Company, Printers, 1912. Pp. 668.)

This is a report to the Legislature of the State of New York and is devoted mostly to activities of the Society within that State. There are some features of the book, however, of interest to the Pacific Northwest. Pages 255 to 264 are devoted to the National Parks and Monuments with a list brought up to date. Two of the largest in America are within the State of Washington—Mount Rainier National Park, 207,360 acres, and Mount Olympus National Monument, 608,640 acres. Pages 421 to 432 are devoted to The Transcontinental Trails. There is a map and illustrations of this work, including the old Oregon Trail. The article on Stadiums, Ancient and Modern, mentions the great stadium of the Tacoma High School (page 418), and there are two full-page illustrations, one showing Old Woman's Gulch before the stadium was built and the other shows the folk dances at the time of dedicating the completed work.

PERSONAL EXPERIENCES ON THE OREGON TRAIL SIXTY YEARS AGO. By Ezra Meeker. (Seattle, The Author, 1912. Pp. 150. 30 cents.)

Under a new title, Mr. Meeker has reissued in cheaper form "The Ox Team," first published in 1906. Considerable change has been made in the arrangement, but apparently no new material has been added.

INTERNATIONAL JOINT COMMISSION. (Washington, Government Printing Office, 1913. Pp. 11; 20; 128.)

These are three pamphlets containing the Opinion, Minority Opinions, and Hearings and Arguments in the matter of the application of the Rainy River Improvement Company for approval of plans for a dam at Kettle Falls. The same Commission has issued other pamphlets giving rules of procedure and reports on the Livingstone Channel in the Detroit River. The Kettle Falls case refers to th State of Washington. The hearing was held under the Treaty between the United States and Great Brit-

ain of May 5, 1910. The Joint Commission must give its approval before the natural level of waters at the boundary can be raised or lowered. The application for the dam at Kettle Falls was dismissed.

California Genealogical Society. (San Francisco, the Society, 1913. Pp. 14.)

This slender little pamphlet contains the list of officers and members of the society. It is evidence that efforts will soon be made to publish some researches that will be helpful to students on the Pacific Coast.

The International Mind. By Nicholas Murray Butler. (New York, Charles Scribner's Sons, 1913. Pp. 121.)

This is a collection of the annual addresses by the President of Columbia University at the Lake Mohonk Conference. It is distributed by the Carnegie Endowment for International Peace, 2 Jackson Place, Washington, D. C. It is an excellent book for cultivating public opinion in favor of international peace.

Proceedings of the State Historical Society of Wisconsin. (Madison, Published by the Society, 1913. Pp. 260.)

The portion of this book which relates to the Pacific Northwest is found on pages 87 to 123, where John Thomas Lee gives additional data about Captain Jonathan Carver. Anything relating to the man who invented or first used the word "Oregon" is of interest in this region. Mr. Lee seeks to defend Carver from the critics and he submits a number of documents from the British Museum and elsewhere. It looks as though Carver will emerge with a fairer name than his critics left him a few years ago.

Pickett and His Men. By La Salle Corbell Pickett. (Philadelphia and London, J. B. Lippincott Company, 1913. Pp. 313. $2.50 net.)

The widow of General George E. Pickett has here issued a revised and enlarged edition of her well known book. The new illustrations include a picture of the military bridge built by Pickett across Whatcom

Creek in 1857 and "Idlewild" at Friday Harbor, San Juan Island. This little building was used as headquarters by Captain Pickett while on San Juan Island. At that time, however, it was on the southern end of the island. Later Judge E. D. Warbass, who greatly admired Pickett, moved the building to Friday Harbor and occupied it as his home during the balance of his long life.

The reunion of the "Blue" and the "Gray" at Gettysburg will refresh the memories of many that the man who led "Pickett's Charge" had part of his early career on Puget Sound. Mrs. Pickett's book has two chapters on San Juan.

Other Books Received

AMERICAN ETHNOLOGY, BUREAU OF. Twenty-Eighth Annual Report, 1906-1907. (Washington, Government Printing Office, 1912. Pp. 308 plus xxxv.

ATWOOD, E. L. The Modern Warship. (Cambridge, England, University Press, and New York, Putnam's, 1913. Pp. 146. 40 cents.)

BRAWLEY, BENJAMIN GRIFFITH. A Short History of the American Negro. (New York, Macmillan, 1913. Pp. 247. $1.25.)

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE. Year Book for 1912. (Washington, 1913. Pp. 165.)

CRAIGIE, W. A. Icelandic Sagas. (Cambridge, England, University Press, and New York, Putnam's, 1913. Pp. 120. 40 cents.)

FAXON, FREDERICK WINTHROP. Annual Magazine Subject-Index, 1912. (Boston, Boston Book Company, 1913. Pp. 299.)

HEWETT, EDGAR LEE; HENDERSON, JUNIUS, AND ROBBINS, WILFRED WILLIAM. The Physiography of the Rio Grande Valley, New Mexico, in Relation to Pueblo Culture. (Washington, Government Printing Office, 1913. Pp. 77.)

JOHNS, C. H. W. Ancient Babylonia. (Cambridge, England, University Press, and New York, Putnam's, 1913. Pp. 148. 40 cents.)

MAWER, ALLEN. The Vikings. (Cambridge, England, University Press, and New York, Putnam's, 1913. Pp. 150. 40 cents.)

WOODS, FREDERICK A. The Influence of Monarchs. (New York, Macmillan, 1913. Pp. 422. $2.00.)

NEWS DEPARTMENT

The Naming of Portage Bay

On May 1, 1913, the Port Commission of the Port of Seattle adopted the following resolution:

"That the Port Commission hereafter designate upon its maps and other records under the name Portage Bay that portion of Lake Union in the City of Seattle which lies to the eastward of the Latona Bridge."

At the same time the President of the Port Commission, General H. M. Chittenden, framed the following reasons for the adoption of the name:

"That part of Lake Union which lies east of Latona Bridge is so detached from the main lake as to make it practically a separate body of water. A great deal of confusion arises in description because 'Lake Union' in the popular mind means the main body of the lake west of the Latona Bridge. A separate name for the east arm of the lake is of practical importance, and Portage Bay has been suggested as a suitable name. It is peculiarly appropriate because it commemorates in permanent form an important feature of the history of the city which will pass away with the completion of the canal. From the very beginning of the city the portaging of traffic across the narrow neck of land that separates the two lakes has been carried on by various means, among which are a tramway, a lock canal, and the log sluiceway at present in use. All of this will be finally done away with when the open channel is completed between the lakes and they are made practically one body of water."

Interest of Women's Clubs in Local History

Miss Bessie Winsor of Seattle, Secretary of the State Federation of Women's Clubs, is authority for the statement that there are more than two hundred women's clubs in the State of Washington, embracing five thousand members, and that two-thirds of them will study local history during the coming year.

The general interest in the subject was also reflected in the annual election of officers. Mrs. Ruth Karr McKee of Hoquiam was chosen President of the Federation. In her work for the clubs and for libraries she has been a strong advocate for the study and preservation of the

history of the Northwest. This part of her character can easily be traced. Her mother was a Walker and was born in the Spokane branch of the famous Whitman mission. Missionary Walker was one of the reenforcements sent out into Oregon in 1838. Mrs. McKee and her mother were both native daughters and being a part of the history they know its interest and importance.

Exploring Mountains

Two mountain clubs will be at work in the State of Washington during the present summer. The Mazamas, with headquarters in Portland, Oregon, will visit Mount Adams, August 2 to 17. The Mountaineers, with headquarters in Seattle, will traverse the Olympic Range, starting at Port Angeles and emerging at the mouth of the Quinault River. The time scheduled is August 2 to 23. Both outings are primarily for pleasure, but there will also be done considerable work of scientific and historical value.

Journey of the Liberty Bell

School teachers from the Pacific Coast States have in person presented the petitions of thousands of western school children asking the authorities in Philadelphia to send the old Liberty Bell on a visit to the Pacific Coast during the Panama-Pacific Exposition in 1915. Many patriotic citizens worked to secure and compile the petitions. One of the most active in the State of Washington was Richard Saxe Jones of Seattle.

Washington Pioneer Association

The Pioneer Association of the State of Washington held its regular annual meeting at the Association's hall, Madison Park, Seattle, on June 3 and 4, 1913.

The officers elected for the ensuing year were as follows: President, Morgan J. Carkeek; Vice-President, H. C. Comegys; Secretary, Edgar Bryan; Treasurer, William M. Calhoun; Trustees, Thomas H. Cann, M. R. Maddocks, Frank H. Winslow, W. V. Rhinehart and Leander Miller.

The principal address of the occasion was delivered by Judge R. B. Albertson. Besides glowing tributes to the worth of the pioneer men and women, the address was replete with valuable historical references, especial-

ly relating to professional men in the Territory in 1883, when Judge Albertson was a newspaper man about to begin his career as as lawyer.

Death of Haven W. Edwards

Mr. Haven W. Edwards, vice-principal and head of the history department of the Oakland (California) High School, and Secretary of the Pacific Coast branch of the American Historical Society, died at his home, in Berkeley, on April 27. He was a graduate of Stanford University and had done post-graduate work at Harvard. His teaching experience was obtained at the St. Paul's School, Concord, N. H., and in Redlands, Cal. At the time of his death he was making, for the Archives Commission of the American Historical Association a report on the Archives of California, a task nearly completed. He had also been a frequent contributor to the History Teachers' Magazine. He was also one of the founders of the "May First History Club," now in the fourth year of its existence.—The History Teachers' Magazine for June, 1913.

[The aim of this department is to furnish outlines that will aid those who wish to study the subject systematically. It is expected that its greatest use will be as a guide for members of women's clubs, literary societies, and classes in colleges or high schools. It will be a form of university extension without the theses and examinations necessary for the earning of credits toward a degree.]

VI. Explorations by Land (Continued).

5. Captain B. L. E. Bonneville, 1832-1836.
   a. His letter of instructions, 1831.
   b. Organizing for the fur trade.
   c. Trapping, hunting and exploring.
   d. Visits to Fort Walla Walla.
   e. Return to civilization.
   f. Commander at Fort Vancouver.

6. Nathaniel J. Wyeth, 1832-1837.
   a. Inspired by Hall J. Kelley.
   b. Prepared for his trip at Cambridge.
   c. The "Natwyethium."
   d. Help of Boston merchants.
   e. Arrived at Fort Vancouver, Oct. 29, 1832.
   f. John Ball begins first school, Jan. 1, 1833.
   g. Organized Columbia River Fishing and Trading Company
   h. Charter of ship "May Dacre."
   i. Fort Hall established in July, 1834.
   j. Fort William established, in September, 1834.
   k. Failure of trade.
   l. Sold out to the Hudson's Bay Company.
   m. His letter about wrecked Japanese.
   n. Prophetic nature of his work.

VII. Settlement of Old Oregon

1. Northwest Company of Montreal.
   a. Followers of Mackenzie.
   b. Posts established in Northern British Columbia.

c. Race for the Columbia River.
d. Purchase of Astoria, 1813.

2. Astoria.
   a. See outline in Volume IV., No. 2, p. 137.

3. Hudson's Bay Company.
   a. Chartered in 1670.
   b. Absorbed Northwest Company, 1821.
   c. Fort Vancouver established, 1825.
   d. Fort Langley at mouth of Fraser River, 1827.
   e. Fort Nisqually established, 1833.
   f. Puget Sound Agricultural Company, 1838.
   g. Cowlitz Farms and other settlements.
   h. Numerous trading posts.
   i. Steamer "Beaver's" arrival, 1836.
   j. Attitude toward Treaties of Joint Occupancy.

4. Doctor John McLoughlin.
   a. Education and training.
   b. With Northwest Company at first.
   c. Sent to the Columbia River district, 1824.
   d. Moved headquarters to Fort Vancouver.
   e. Aid for the botanist, David Douglas.
   f. Growth of his power.
   g. Kindness to missionaries and settlers.
   h. Now called: "Father of Oregon."

BIBLIOGRAPHY.—Private collections and library collections in this region are growing richer day by day in manuscript and published materials pertaining to the exploration and settlement of Old Oregon. The books cited below ought to be easily accessible, especially in the larger cities of the State. Smaller towns might arrange loans from some of the larger libraries except in case of the rarest items.

BANCROFT, HUBERT HOWE. Works of. Vol. XXVIII. (Northwest Coast, Vol. II.), pages 417 to 712; Vol. XXIX. (Oregon, Vol. I.), pages 1 to 53. The footnotes will give guidance to sources if such are accessible to the reader.

CHITTENDEN, HIRAM M. American Fur Trade of the Far West. The reader will find much of interest in this valuable work. In Vol. I., pages 396-397, will be found the author's declaration that Captain Bonneville was a "history-made man."

COMAN, KATHARINE. Economic Beginnings of the Far West. The table of contents and index of these two volumes will lead to topics in this syllabus.

DYE, EVA EMERY. McLoughlin and Old Oregon, and McDonald of Oregon, a Tale of Two Shores. These two books were published by A. C. McClurg of Chicago. The author has sought to emphasize the human interest phases of her subjects.

HOLMAN, FREDERICK V. Dr. John McLoughlin, the Father of Oregon. This dependable book of 301 pages is well described by its title. It was published by the Arthur H. Clark Company of Cleveland, Ohio, in 1907. It ought to be in all of the libraries of the Northwest.

IRVING, WASHINGTON. Astoria, and the Adventures of Captain Bonneville. These are classics easily obtained everywhere. In the Bonneville book will be found the Captain's letter of instructions and also a part of a letter from Nathaniel J. Wyeth about the shipwrecked Japanese.

MEANY, EDMOND S. History of the State of Washington. Pages 80 to 105 will cover the field of this syllabus and footnotes will guide further researches if desired.

SCHAFER, JOSEPH. History of the Pacific Northwest. This book, cited for each syllabus, will be found helpful in this case also. See pages 94 to 158.

SOMERVILLE, T. David Douglas, an interesting and valuable article in the Overland Monthly, Vol. VII., beginning at page 108. The magazine is for August, 1871. The article throws light on the founding of Fort Vancouver as well as on the work of the famous botanical explorer.

WYETH, JOHN A., M. D. Nathaniel J. Wyeth and the Struggle for Oregon, an article in Harper's Magazine for November, 1892, pages 835-847.

YOUNG, PROFESSOR F. G. Correspondence and Journals of Captain Nathaniel J. Wyeth, 1831-6. This prime source material will be found in Sources of the History of Oregon, Vol. I., parts 3 to 6, published by the University Press at Eugene, Oregon, in 1899.

George Wilkes: History of Oregon, Geographical, Geological and Political. (New York, Colyer, 1845.)

[The reprint of this rare work was begun in the first number of the Washington Historical Quarterly and has been continued in portions of varying lengths. For the sake of librarians and others who have kept the files, the work is here continued.—*Editor.*]

As to wind, I have *witnessed* less, if such a term can be used, than at any other place I have ever been in, and I have but to say, that if the timber we have here, spread their lofty branches in the States, they would be riven by the lightning, and blown down to an extent that would spare many of them the blow of the settler's axe. Here, I have heard no thunder, and have seen but one tree that had been struck by lightning.

CHAPTER XI.

Aborigines of Oregon—Their Numbers and Character—Their Canoes—Their Mode of Fishing—Game—Timber—Fisheries—Water Power—Mountains—A Volcano—Commercial, Agricultural, and Manufacturing Features of Oregon—Value of the Arm of Labor.

The aborigines of Oregon form, at present, nine-tenths of the population of the whole country, and from their newly adapted habits, are deserving of a place in the social census. They were formerly much more numerous, but like all the savage race, they melt away from the white man's approach like shadows before the advancing sun. I have no means of accurately ascertaining their number, as large bodies of them are in the habit of moving from place to place to reap the varying harvests of the fisheries, but I believe they somewhat exceed 20,000. They are most numerous in the Nez Perces country, which extends eastward from Wallawalla, and considerable numbers of the Cheenooks attracted by the fisheries, are to be found at the Dalles and at the mouth of the Columbia river. They are, however, degenerate and broken, and instead of the proud and warlike being which presents itself to the imagination when the

idea of an American Indian enters it, they but offer to the actual beholder the specimen of a creature degraded almost to the level of a beast, and capable of submitting to the most servile abasement. Indeed, so completely are they under the control of the superior intelligence of the Anglo Saxon settler, that they can scarcely be considered in a much more dignified light than as a race of natural villiens or serfs. The Nez Perces Indians retain in a greater degree than any other, their ancient independence; but even the members of this tribe fall readily under the control and mastery of the whites.

The Indians between Wallawalla and the Dalles are a cowardly and thievish set, and the portion of them situated at the latter place, in addition to being degraded and ignorant in the extreme, are so addicted to stealing, that they lay hands on every trifle that comes within their reach. Those portions at Vancouver and in the valley of the Willamette, are abject, servile, and filthy in their habits, and most of them go half naked during the whole year. In both this and the adjoining region, they perform a great deal of work for the whites, and where labor is so scarce as it is here, they are of no slight assistance to the settlements. Many of them make very good hired hands, and they are found particularly useful in rowing boats, paddling canoes, herding cattle, and in the menial operations which require a sort of refuse labor, if such a term can be used, that would be dear at the outlay of a valuable settler's time. You can hire a Chenook to work upon a farm a week for a shirt worth 83 cents.

These Indians construct the finest canoes in the world. They make them out of the cedar which grows at the mouth of the Columbia, from twenty to thirty feet long, and from three to four feet wide. Their bottoms are flat, like those of skiffs, and being light, this construction, together with the sharp form of the bows, makes them very swift. In fashioning the canoe, they commence upon the middle and taper it gradually to a sharp point at each end, not turning it up with a flourish like the bows and stern of ordinary vessels of the kind. The only ornament they put upon them, is a sort of figure head made of a separate piece of wood, which is fitted on the bows, and is generally beautified with a rude mosaic of sea-shells imbedded in various figures in the wood.

The conduct of the Hudson's Bay Company towards the Indians, has been prompt and discriminating, both in the distribution of benefits, and in the punishment of offences. They have not held a whole tribe responsible for the unauthorized acts of individuals, but have in all cases carefully sought out the real perpetrators and punished them without fail. When the country was first visited by the whites, the natives were of a ferocious and warlike character, and it required sixty men to pass up

the Columbia in boats, to ensure the safety of the expedition; but now, a single individual can pass without molestation to the Dalles, and a squad of six or eight may travel in perfect security through any portion of the territory. The Flatheads and Snakes, formerly the most incorrigible, have long been peaceable, honest, and friendly. One of the gentlemen belonging to the Hudson's Bay Company, told me that in the many trading expeditions they had had with these tribes, they had never lost the first article, and many times they had purposely exposed their goods to trifling depredations, for the purpose of testing their honesty.

All of the tribes of Oregon wear their hair long, and are exceedingly fond of the dress of the whites; but nothing holds so strong a claim to their admiration, or so firm a seat in their affections, as *a shirt.* A pair of pantaloons holds the next place, a coat next, and so on through the inferior articles of apparel. They show the most extravagant delight when dressed in these garments, but still prefer to display the shirt on the outside of all. Candor, however, compels me to declare, that those who are fortunate enough to possess one of these articles, generally makes it do the duty of a full dress. They call the Americans, "*Bostons,*" which title they have adopted in consequence of having been originally informed by Captain Gray, the first pale face who ever entered their territory, that he came from a place called Boston. The English they call King George.

The Indians of Oregon are exceedingly addicted to gambling, and have been known to pursue this demoralizing passion to the fatal length of even staking their liberty on a game, and playing themselves, by a run of ill luck, into a state of perpetual slavery. When we estimate the love of a savage for independence, we can arrive at some measurement of the degree of passion which exacts its sacrifice. Upon the whole, these Indians are of vast benefit to the whites of this region. In the present condition of the settlements, we should lose much by their absence.

FISHERIES.—The fisheries of this country are very great, and foremost among all the varieties which they produce, is the unrivalled salmon. It would be impossible to estimate the numbers of this excellent fish annually taken in the Columbia and its tributaries; but they have been set down at ten thousand barrels a year, which number I do not think by any means too large. The salmon in this country are never caught with a hook. They are sometimes taken by the Indians with a small scoop net, but generally are caught with a sort of spear of a very peculiar description. These are made by the natives after the following fashion. They take a pole, made of ash, or of some hard wood, about ten feet long and one inch thick, and gradually tapering to a point at one end. They then cut a piece, about four inches long, from the sharp prong of a buck's

horn, and hollow out the large end so that it fits the pole. About the middle of the buck horn, they make a small hole through which they put a cord, or leather string, that runs along the pole and fastens to it about two feet from the lower end. When they spear a fish with this weapon, the pole is withdrawn and the buck horn barb is left imbedded in the animal's body, or having run through and through it, remains fastened on the other side. Escape is thus rendered impossible, and the prey unable to elude the prong, is securely drawn in by the string. All the salmon caught here are taken by the Indians, and sold to the whites at about ten cents each, and frequently for less. One Indian will take about twenty upon an average per day.

The salmon taken at different points, differ greatly in kind and quality, and it is only at particular places that they can be taken. The fattest and best are those taken at the mouth of the Columbia, and the next best are those taken in the Columbia, a few miles below Vancouver, at the Cascades, and at the Dalles. Those taken at the Willamette falls, are smaller in size, and inferior in flavor, and are said to be of a different kind. What is singular, this fish cannot be taken in any considerable numbers with large seines, and this is only to be accounted for, by their remarkable shyness, and their superior activity. I believe no white man has yet succeeded in taking them with the gig. They make their appearance in the vicinity of Vancouver, first in the Klackamus river, and the best quality are taken in June.

There are several other kinds of fish in the bays, rivers, and creeks of the territory, of which a species of cod and the sturgeon are the most important. The later are a large fish, and afford great sport in a leisure hour to take them with a hook and line. They are taken in the Willamette, below the falls; in the Columbia, at all points, and in the Snake or Saptin river, as high up as Fort Boisé. Of shell-fish, we have the crab, clams, muscles, and a small description of oyster.

Game.—The wild animals of this, the first section of Oregon, are the black bear, black-tailed deer, raccoon, panther, polecat, rabbit, wolf, beaver, and a few others. Of these, the deer and the wolves are the most numerous. We have no buffaloes, antelopes, or prairie chickens here, but in the second section the latter species of feathered game are plenty.

Of fancy birds, we have blue jay, larger, and of a deeper blue than those of the States; the nut-brown wren, a most beautiful and gentle little atom, scarcely larger than the humming-bird; also a species of bird, which resembles the robin in form, color, and size; and also a species of nightingale, that sings the livelong night; but though I have heard these evening songsters, time and again, I have never yet managed to get sight of one.

The bald eagle, so well described by Wilson, is found along all the rivers; but here, he is obliged to compromise a portion of his lordly character to his necessities, and to work for his own living, having no fish-hawks to catch his game for him. He feeds principally upon the dead salmon he gleans from the surface of the water, as they float downward in the stream, and changes his diet by an occasional swoop upon some unlucky duck, which he catches either while on the wing, or while feeding in the river. If the duck when pursued in the air, can reach the surface of the water, he does so with the utmost speed of wing, and seeks a momentary refuge by diving under it. The eagle, balancing himself over the spot of his victim's disappearance, waits until he rises, and then strikes at him again and again, until the latter's strength becomes wasted with the unusual effort, and giving out at length, the relentless conqueror bears him off as he rises languidly and for the last time to the surface of the water. We have also pheasants in abundance, likewise partridges, grouse, brant, pelicans, plovers, wild geese, thrush, gulls, cranes, swans, and ravens, crows and vultures. For a sportsman, this region is a paradise, and a dog and a gun will afford him a chapter of elysium every day of his life.

There is one peculiarly attractive feature, which this country possesses over most others, and that is, that like Old Ireland itself, it has no poisonous reptiles or *insects*, and better than Ireland, we are not burdened with obligations to any saint for the saintly office of extirpating them. The only snake we have, is the harmless garter-snake, and there are no flies to annoy the cattle.

Timber.—The timber of this section of Oregon, constitutes the main source of its wealth. It is found in inexhaustible quantities on the Columbia, and on the Willamette, just where the water power is at hand to cut it up, and where ships can easily take it on board. The principal timber of this section is the fir, the white cedar, white oak and black ash. There are three kinds of fir; the white, yellow, and red; all of them fine for plank, shingles, boards and rails.

The white fir makes the best shingles. The fir is a species of pine, which grows very tall and straight, and stands very thick upon the ground. Thick as they stand, however, when you cut one, it never lodges in its fall, for the reason that it never forks, and the limbs of the others are too small to stop the descent of its enormous bulk. In the Cascade mountains, and near the mouth of the Columbia river, they rise to the height of three hundred feet. They split exceedingly well, and make the finest boards of any timber I have ever seen. I cut one tree, from which I sawed twenty-four cuts of three foot boards, and there are plenty of such specimens all around me, yet untouched.

The white cedar is very fine timber, and is nearly if not quite equal to the red cedar of the States. In the vicinity of Linntan, it grows to the size of three feet in diameter, and is tall enough to make six rail cuts to the tree. I have cut two ware-house logs, thirty feet long, off one tree, and three of the same logs off a red fir, which was only about fourteen inches in diameter at the stump. The cedar splits remarkably well, makes fine rails, shingles, or house-logs, and lasts a lifetime.

The *white* oak timber is better for wagon-making than any specimens to be found east of the Rocky Mountains, and it is the best wood that can be had for axe-handles, and for similar purposes. It grows about as tall as in the States. The *black* oak, which also grows profusely in our forests, makes excellent fire-wood, and answers likewise for many other purposes.

In the range of mountains back of Linntann, we have plenty of the hemlock, the bark of which is fine for tanning hides; and I have no doubt that ere long, the skins that will be stripped from our large herds of stock, will be extensively converted into leather by its agency. We have also the dog-wood and cherry-maple, sprinkled among the firs and cedars. The hazel of this country is four times larger than that of the States, and is also much toughter in its texture; it is extensively used for hoops, and for the manufacture of a coarse kind of scrub broom. The fruit of this tree is of a lighter color than the hazel-nuts of the States, and they are of the shape and size of a chinkapin acorn. Persons coming from the States will find very little timber here like that to which they have been accustomed, for all of it is on a grander scale. The black ash and dog-wood are very similar to those of Tennessee and Kentucky, and the white oak is perhaps but little different from any eastward of the mountains. But we have no walnut, hickory, percimmon, pawpaw, locust, coffee-nut, chestnut, sugar-tree, box-elder, poplar, sycamore, or elm.

Water Power.—The water power of this country is unequalled, and is found distributed through every section. That at the falls of the Willamette cannot be surpassed in the world. Any quantity of machinery can be put in motion there; but the good water power is not confined to the Willamette falls, for in many places on the Columbia, the Willamette, and the other rivers, there are mill sites as good, though none of them are quite so large. These advantages for converting the timber which surrounds them, into a marketable commodity of great value in the neighboring ocean, will ere long be appreciated to a far greater extent by even this region, than at present.

Mountains.—We have the most beautiful scenery of North America—we lie upon the largest ocean, we have the purest and most beautiful

streams,* the loftiest and most majestic trees, and the most stupendous mountains of the continent. The latter, as I have had occasion to mention before, are divided into three great ranges, but as the description of the features of the lower region is at present my especial object, I will pass over the Rocky Mountains and the Blue, and confine myself to the President's range which forms the eastern wall of our valley. The several peaks of this range are grand and imposing objects. From Vancouver you have a full and fair view of Mount Hood, to the south, which is called by some the tallest peak of the Cascades, and rises more than sixteen thousand feet above the level of the sea, and ten thousand above the mountains immediately around it. This lofty pile rises by itself in a regular and perfect cone, and is covered with perpetual snow. It is the only peak you can see from Vancouver, as the view in other directions is obscured by tall fir timber. At the mouth of the Willamette, as you enter the Columbia, you have a full view of Mt. St. Helens or Mount Washington, and also of Mount Hood. From Linntan you have a very fair view of the former mountain, which is almost fifty miles distant from this point, though it looks as if it were almost within reach. This peak is very smooth and perfectly conical in its form. It is nearly as tall as Mount Hood, and is the most beautiful of the range. It lies immediately on a line with the mouth of the Columbia, and is a land-mark visible several miles at sea and useful in directing vessels to its harbor. Like Mount Hood it stands alone in its solitary grandeur far above all surrounding objects and awing them into insignificance. This mountain, which until last year, towevered serenely in the air covered with ten thousand perpendicular feet of snow, suddenly burst into a burning volcano, in which state it now remains. The crater is in its side about two-thirds of its distance from its base, and by the account of the Indian inhabitants in its vicinity, it emitted a flood of lava at the time of its eruption, which poured its stream of fire through the whole depth of the virgin sheet that wrapped its sides. A savage who had been hunting deer some distance up the mountain, finding his return to his wigwam thus cut off, took a run and attempted to jump across it, but not being able to clear its breadth, he fell with one foot in the glowing torrent, and was so severely burnt, that he came very nearly being lamed for life. He hastened to Vancouver, however, and by the assistance of Dr. Barclay at the Fort, was gradually cured.

This mountain is second in height to but one in the world, (Cotopaxi in South America), and like other volcanoes it burns at intervals. On one side of it near its top, is discovered a large dark object amid the

*We protest against this claim for their rivers, for it is at variance with the writer's own description of the whole line of streams which he traversed from the Rocky mountains to the ocean.

surrounding snow, which is supposed to be the mouth of a huge cavern, and doubtless is the ancient crater of some expired issue. On the 16th February 1844, the mountain burned most magnificently. Dense masses of smoke rose up in immense columns and wreathed the whole crest of the peak in sombre and massive clouds; and in the evening its fire lit up the flaky mountain-side with a flood of soft yet brilliant radiance. The range, of which this is the most distinguishing feature, runs throughout the whole length of the territory and is remarkable for its seperate and independant cones.

Commercial, Agricultural and Manufacturing Advantages.—The commercial advantages of this country are very great. The trade with the Sandwich Islands is daily increasing, and surrounded as we are with a half civilized race of men, our manufacturing power will soon have a home market for itself; besides, South America, California and the Sandwich Islands must depend upon us for their lumber. Already large quantities of shingles and plank are sent to the latter market, and we shall also have a full demand for all our other surplus productions at the same port, for most vessels visiting the north Pacific, touch at these islands for the purpose of obtaining supplies of fresh provisions. The Russian settlements are already dependent upon us, and even the markets of China are within our reach. For the supply of the regions of the Pacific, and the more northern settlements of the coast, there can be no competition with us in the way of provisions, as we have no neighbors in the producing line.

I consider Oregon, in many respects, superior to California, as in the latter country, the climate is so warm that pork and beef cannot be put up, and consequently the grazer loses half his profits; besides, its enervating temperature like that of all warm countries, has a degenerating effect upon the enterprise of the inhabitants. For a commercial and manufacturing people, the climate of Oregon is warm enough. We can here preserve our pork and beef without danger of its tainting before the completion of the packing; and we have finer timber, better water power, and are not subject to the ruinous droughts of California.

Since our arrival, the prospetcs of the country have very much improved. Business of all kinds is active and times are flourishing. We live in a state of primitive simplicity and independence; we are the victims of no vices; there is no drinking or gambling among us, and Labor meets with such ample inducements and ready rewards, that lazy men are made industrious by the mere force of the influences around them.

Farming is considered the best business of this country. The business of making and putting up butter, which is never worth less than twenty cents per pound, is very profitable. A good fresh article is, I am told,

never worth less than fifty cents and often brings one dollar per pound in the Pacific islands. There are now in operation, or will be this summer, mills enough to supply the whole population with flour. There is no scarcity of provisions at the prices I have previously stated, and I find that the emigrants who came out last year, live very comfortably, are perfectly content with their change, and are much improved in their appearance since the time of their arrival.

We have the finest spar timber, perhaps, in the world, and vessels arriving at the Columbia often take off a quantity for that purpose. The saw mills at the Willamette Falls cut large quantities of plank which they sell at two dollars per hundred. In speaking of the fir before, I omitted stating that it made excellent coal for blacksmith's purposes; and I will farther remark that it is singular that neither the fir nor the cedar, when burned, makes any ashes. It has been supposed that the timbered land of his country will be hard to clear up, but I have come to a different conclusion from the fact that the fir timber has very little top, is easily kindled, and burns readily. It also becomes seasoned very soon, and it is the opinion of good farmers that the timbered land will make the best wheat-fields of the country.

When an individual has any idle time, he can employ himself in making fir and cedar shingles, for the first of which he can get four dollars a thousand, and for the second, five; any quantity of them can be disposed of at these rates. Carpenters and other mechanics obtain three dollars per day and found. There is employment in abundance for every one desiring it, and it is only necessary for a man to be industrious to accomplish sure success and surround himself with all the comforts of an earthly paradise.

CHAPTER XII.

Concluding Remarks—Directions to Emigrants—Line of Route and Table of Distances, Etc.

Having now completed an account of all the material points of our expedition into Oregon, and furnished the inquirer a general idea of its character and capabilities, the only thing that remains for me to do in the limits of this sketch, is to add a few more directions for the emigrant, for whose particular benefit, as I said, before, these imperfect notes are furnished. I have shown, indeed the result of our general expedition proved, that the route from the Rendezvous in Missouri, to this point, is practicable for any description of conveyance, and the success of our cattle in coming through, adds an assurance that it is remarkable as well, for

its extraordinary emigrating facilities. If this needs any corroboration, a world of evidence can be furnished to sustain it, as well as every fact I have advanced; but in support of the peculiar feasibility of the route across the Indian territories of the States and along the line of the Platte, I will merely refer the reader to the fact, that Mr. Ashley, in an expedition in 1836, drew a field piece, (a six pounder) from Missouri, across the prairies, through the southern pass, to a fort on Utah lake (to the south of our southern boundary line,) the whole journey being a distance of 1200 miles; and to the additional fact that in 1828, a large number of heavily laden wagons performed the same journey with ease and without an accident, as will be seen by a reference to Congressional documents on file.

It will be remarked that I have slurred over portions of the route and neglected the regular incidents of much of our daily travel, but when it is remembered that the journey lasted six months, and that the events of many successive days scarcely varied from each other, the reader will come to the conclusion that it would have been hardly wise in me to have taxed his patience with each day's dull routine. The great object, I considered to be, the furnishing the course of the route, a view of its general aspect and difficulties, the distances between points of travel, (the main object of the present chapter) and to impart an accurate notion of the region which the settler must make his future home. I have therefore avoided everything that did not contribute to this design, with the exception of a few trifling incidents of humor inseparable from such an expedition, which I introduced to enliven the monotony of the narrative, and which, moreover, I considered useful as affording an idea of camp life, and the amusements of a journey over the prairies.

Emigrants should start as early as possible in ordinary seasons. The first of May should be set down if possible as the outside limit, and even as early as the first of April, would do. For those coming from the Platte country, it is thought to be most advisable to cross the Missouri at McPherson's ferry in Holt county, and to take up the ridge between the Platte and Kanzas rivers.

Companies of forty or fifty wagons are large enough, and I would advise bodies of travellers for this region to keep within that measure. Large bodies prove unwieldly to arrange and to control; the numerous stock attached to them become troublesome, and moreover large bodies of Americans are prone to differ in opinion. Small collections offer but few inducements to a disordered ambition, but large ones are conducive of selfish strife and discord. This has been seen to have been the case with our expedition; which divided after crossing the Kanzas; and which was further subdivided afterwards, on the other side of the mountains. I did

not particularize this latter circumstance because I considered it of minor importance at the time, and it is now sufficient for my purpose to mention it here, as a caution against the error which induced it, in the future.

In driving stock to this country, about one in ten is lost; not more. Having started, the best way to proceed to save your teams, is to drive a reasonable distance every day, and to stop and go into camp about an hour before sundown. This gives time for all the necessary arrangements of the encampment and affords the teams an opportunity to rest and eat before the night sets in. About eight hours drive in the long days—resting an hour at noon—is, I think enough for one day's travel, and you should make it a rule never to drive irregularly if you can help it. Along the whole line of the Platte, on the Bear and Boisé rivers, and in many other places, you can encamp at any point you please; but at some points of the route you will be compelled to drive hard to get water and range for your cattle.

When you reach the country of the buffalo, never stop your wagons to hunt, as you will consume more provisions during the delay than you will save by the amount of your game; for it is generally consumed at once from the difficulty of curing it, in consequence of the warmth of the weather. Let your horsemen and scouts perform this duty, and supply this want for you; and if they use proper exertions, they can keep you all in fresh meat throughout the whole of the country of game. Any one wishing the amusement of this sport, should bring along an extra horse, and not use him until he reaches the buffalo region, as the hunting of this animal is rough work, and emigrants must needs be very careful they do not break their horses down. A prudent care should be taken of horses, teams, and provisions from the start, and no extra exertion should be required from the two first, and nothing of the last should be thrown away that can be eaten.

If a prudent course is taken, the trip can be made in ordinary seasons, in four months. It is true it took us longer, but we lost a great deal of time upon the road, and besides, we had the way to break. I have reason to believe, that other and better routes than the one travelled by us can be found. Captain Gant, our pilot, was decidedly of the opinion, that to keep up the south fork of the Platte, and to cross it just above the stream called the Kooshlapood, and thence up the latter stream, passing between the Black Hills on your right, and the Rocky Mountains on your left, and striking by this course at last the ordinary route by Green river, would be a better and nearer way into Oregon, and more plentifully supplied with game than the one we took. He had travelled both, and only brought us through the road he did, to avoid the large

bands of Sioux and Black feet Indians, whom he had been informed were hunting upon the southern route.

The following table of distances, it is proper for me to say, is a rough calculation made up from an estimate of our daily travel. It consequently does not claim the accuracy of a geometrical admeasurement, but it is thought by those to whom I have submitted it, to be not far out of the way.

A Table of Distances From Independence, Missouri, to the Intermediate Points Between That Town and Astoria at the Mouth of the Columbia River

	Miles.
From Independence to the Rendezvous,	20
Rendezvous to Elm Grove	15
From Elm Grove to Walpalusia,	22
Walpalusia to Kanzas river,	31
Kanzas River to Big Sandy creek,	31
Big Sandy to Hurricane Branch,	12
Hurricane Branch to East fork of Blue River,	20
East fork to West fork of Blue River,	15
West fork to where we came in sight of the Republican fork of the Blue River	41
Up Republican fork of the Blue River to where we left it to cross over to the Big Platte River	66
Up the Platte to where we saw the first herd of buffalo,	56
Up the same to the crossing on the South fork of same,	117
South fork to crossing on North Fork of same,	31
Crossing of North Fork to Cedar Grove,	13
Cedar Grove to Solitary Tower,	18
Solitary Tower to Chimney Rock,	18
Chimney Tower to Scott's Bluffs,	20
Scott's Bluffs to Fort Larimie,	38
Fort Larimie to Big Spring at foot of Black Hills,	8
Big Spring to Keryan on North fork of Platte,	30
Keryan to crossing of North Fork,	84
Crossing of North Fork to Sweetwater River,	55
Up Sweetwater River to where we first saw the eternal snows of the Rocky Mountains,	60
From the above point to main dividing ridge of Rocky Mountains,	40
From dividing ridge to Little Sandy River,	16
Little Sandy to Big Sandy,	14

Big Sandy to Green River,	25
Down same,	12
To Black's fork of Green River,	22
From Black's fork to Fort Bridger,	30
Fort Bridger to Big Muddy River,	20
Big Muddy to Bear River,	37
Down Bear River to range of hills mentioned as running up to its bank,	57
Down Bear River to Great Soda Spring,	38
From Soda Spring to the Portneuf River, the first water of the Columbia,	25
To Fort Hall in the Snake or Saptin River,	58
From Fort Hall to the Portneuf again,	11
Portneuf to Rock Creek,	87
Rock Creek to Salmon Falls on the Saptin,	42
Salmon Falls to crossing on the Saptin,	27
From crossing of Saptin to Boiling Spring,	19
Boiling Spring to Boisé River,	48
Down same to Fort Boisé on Saptin,	40
Fort Boisé to Burnt River,	41
Up Burnt River for,	26
From last point to Powder River at "the Lone Pine,"	18
From "the Lone Pine" to Grand Round,	15
Grand Round to the Umatilla River on the west of the Blue Mountains,	43
Umatilla to Dr. Whitman's Mission,	29
Mission to Fort Wallawalla,	25
Wallawalla to the Dalles Mission,	120
Dalles to Vancouver,	100
Vancouver to Astoria,	80
Astoria to the ocean,	10
Making in all from Independence to the Pacific ocean,	2036

From Independence to Vancouver by the above computation is 1946 miles by the route we traveled. I am well satisfied that the distance does not exceed 2000 miles for the reason that our ox teams could not have accomplished a greater distance within the time of their actual employment.

The trip to Oregon is neither a costly nor an expensive one, and an individual can travel here at as small an expense, as he can move from Tennessee or Kentucky, to Missouri. All the property he starts with he

can bring through, and it is worth, upon his arrival, more than when he set out.

To conclude, there is no country in the world where the wants of man can be so readily supplied, and upon such easy terms as in this; and none where the beauties of nature are displayed upon a grander scale.

The chief value of this country, I must remark in closing, lies in the advantages it offers to the United States for a direct route to the East Indies and the ports of the Pacific ocean. Already these have been embracd by the Hudson's Bay settlers, and even now, the products of this region have grown to an importance that would make them sadly missed by several of the island markets and settlements upon the western coasts which they have of late supplied. Every day adds to their amount and their demand, and an ordinary sagacity may see in this fact, the promise of our future importance in the commercial world. There are many considerations involved in the first steps of our advance which it would please me to allude to in detail, but they are not embraced within the scope of my present purpose, and I leave them to the treatment of abler political economists.

* * * * * * * * * *

The more extended political organization of which I before spoke, is about to take place, and I was waited upon two or three days ago by a party from the Falls, to consult upon a plan of a general territorial government, with a legislature of two houses, and a Chief Justice for its first executive officer. This arrangement will embrace all the settlements of the valley into one common government, the representatives of which will convene in general congress, at stated periods, at Multonomah or Oregon city, and there transact all the necessary business for our little body politic. When this plan is adopted, (as it doubtless will immediately be), it will perhaps, be the peculiar honor of your humble servant, to sit in a curule chair of the first Republican Government beyond the Rocky mountains. We shall then be able to make our own laws, and likewise to do our own voting and our own fighting. Let not our brethren of the States mistrust our ability to maintain ourselves in our new position! We have strong arms and stout hearts; we have despised the toils of two thousand miles of travel to build our homes upon the soil, and we will never leave its face, until we sink beneath it.*

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*Recent accounts from the west inform us that there are now gathered near Independence, Missouri, about 7,000 emigrants, all destined for Oregon and California. They are to set out in convenient detachments about the 1st of June.

CONCLUDING NOTE.

FALCONER'S RECENT WORK ON THE OREGON QUESTION.

The author cannot say his last word without allusion to a British republication which appeared when the foregoing pages were in press. It is entitled, "THE OREGON QUESTION; OR A STATEMENT OF THE BRITISH CLAIMS, IN OPPOSITION TO THE PRETENSIONS OF THE UNITED STATES, BY THOMAS FALCONER, BARRISTER AT LAW, OF LINCOLN'S INN."

It is unnecessary to our purpose to travel after the wrtier through all his tortuous sophistries, as they are fully answered by the plain statements of the previous portions of this work; but, as Mr. Falconer is a special advocate of international law, and advances some rather novel and interesting positions, it may not be amiss to glance at the main points of his performance. The learned barrister somewhat ingeniously commences by adjudging us the French Title as the foundation of our claims, and having given it this position as his least formidable obstacle, pelts away at it with evident satisfaction. He is welcome to his pains, for if he succeeds in destroying it altogether, it will not affect our claims a jot. He next insists upon the discoveries of Drake with the utmost pertinacity, though he succeeds but poorly, and can manage to defend the varacity of the freebooting Preacher, on whose romantic statements they depend, no better than by asking—what motive he could have to lie? This appeal, in the face of the fact, that navigators had for nearly a hundred years previous been struggling for the renown of the furtherest northern advance, is the very superlative of absurdity, and is undeserving of a grave reply. Mr. Falconer lays great stress upon the concessions of Spain by the Nootka treaty, (a rather strange mode by the way of fortifying the antagonistic claims of Drake and Cook,) and insists that, "this convention was an admission of the *right* of the English Government to make settlements." Well, suppose it was, what then? She did not consummate that privilege by any settlement, as we have before shown, previous to the succeeding war 1796 which swept the right away with the other conditional agreements and reciprocal privileges dependant upon a state of amity! Had she, in the mean time, made an actual settlement and retained it through the war, her proposition that "the right to make settlements was a cession of territory," would, in its application to this case, wear a graver aspect. But throwing aside the Nootka treaty, and granting Britain the prilivege of settlement in unoccupied wastes as a nat-

ural right, and still she gains nothing by it, for, by her own rule: "discovery alone and an *alleged* intention to occupy do not give a perfect title, unless an actual occupation takes place." This is an unfortunate quotation of the learned barrister's, for we have seen that Britain's very first settlement in any part of Oregon, was at Astoria, after the purchase of the Pacific Fur Company's effects in 1813; while on the other hand, the United States reaps the harvest of the principle by a number of explorations and settlements extending from 1792 to the above period. But these formidable circumstances must be overcome, and the gentleman of Lincoln's Inn seeks to accomplish his purpose by a farther burrowing into international law. By the outlay of a little industrious research, he finds that this grand system accords to the subjects of monarchial governments privileges by discovery and settlement, which it denies to the Citizens of a Republic; that while the former may be empowered by their sovereign to discover countries, to take possession and establish laws, the later cannot receive similar powers from the President of the United States, "and without such authority," continues he, "they are mere outcasts and vagabonds upon the face of the desert, and no political inferences can be drawn from their acts. Hence," concludes the learned barrister, "the British settlement on the Columbia in 1813, was the first of a national and legal character, recognizable as such, by foreign nations." This is all very well as an ingenious obliquity of argument, but we understand the political distinction between Americans and Britons in a different sense. By our institutions every Citizen of the United States is in himself a sovereign, and possesses, as a matter of course, every natural right and its consequences, that monarchs grant by special act of grace to their obedient subjects. While Europeans range in varying subordinate degrees, the Citizens of our glorious Republic have a right to rank with kings.

Satisfied with his deductions, the learned gentleman finally winds up with an appeal to the commercial interests which will be injured by a state of war, and with a suggestion that the whole dispute be referred to the arbitration of some foreign power.

Do we need more than this to prove the absurdity of international law as applied to us? Is not the above insulting construction of our institutions, a sufficient argument to induce us to reject at once the system it is based on with the contempt it deserves! Instead of gravely inquiring what might have been the opinion of this or that monarchial writer some hundreds of years ago, would it not be more dignified—more just, to decide for ourselves upon the merits of the case, and according to first principles?

APPENDIX.

CONTAINING THE DIPLOMATIC CORRESPONDENCE—TREATIES AND NEGOTIATIONS BETWEEN RUSSIA, SPAIN, GREAT BRITAIN AND THE UNITED STATES, REFERRED TO IN THE FIRST PORTION OF THE FOREGOING WORK.

(No. 1.)

Convention between the United States and Russia, signed at St. Petersburg, on the 17th of April, 1824.

ARTICLE 1. It is agreed that, in any part of the great ocean, commonly called the Pacific Ocean, or South sea, the respective citizens or subjects of the high contracting powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of restoring to the coasts, upon points which may not already have been occupied, for the purpose of trading with the natives; saving always the restrictions and conditions determined by the following articles.

ART. 2. Wtih the view of preventing the rights of navigation and of fishing, exercised upon the great ocean by the citizens and subjects of the high contracting powers, from becoming the pretext for an illicit trade, it is agreed that the citizens of the United States shall not resort to any point where there is a Russian establishment, without the permission of the governor or commander; and that, reciprocally, the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the north-west coast.

ART. 3. It is, moreoevr, agreed that hereafter there shall not be formed by the citizens of the United States, or under the authority of said States, any establishment upon the north-west coast of America, nor in any of the islands adjacent, *to the north* of 54 degrees and 40 minutes of north latitude; and that, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, *south* of the same parallel.

ART. 4. , It is, nevertheless, understood that, during a term of ten years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects, respectively, may reciprocally frequent, without any hinderance whatever, the interior seas, gulfs, harbors, and creeks, upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country.

ART. 5. All spirituous liquors, fire-arms, other arms, powder, and

munitions of war of every kind, are always excepted from this same commerce permitted by the preceding article; and the two powers engage, reciprocally, neither to sell, nor suffer them to be sold, to the natives, by their respective citizens and subjects, nor by any person who may be under their authority. It is likewise stipulated, that this restriction shall never afford a pretext, nor be advanced, in any case, to authorize either search or detention of the vessels, seizure of the merchandise, or, in fine, any measures of constraint whatever, towards the merchants or the crews who may carry on this commerce; the high contracting powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishments in case of the contravention of this article by their respective citizens or subjects.

(To be continued.)

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THE ORIGIN OF THE CONSTITUTION OF THE STATE OF WASHINGTON*

The Constitutional Convention of the Territory of Washington met at Olympia, on July 4, 1889, pursuant to the Enabling Act of Congress and the election therein authorized to form a constitution for the proposed new state. The convention was composed of seventy-five members, elected by the people, drawn from different callings, professions, and avocations, and truly represented the strength and wisdom of the growing commonwealth. These men were locally distinguished for their high sense of honor, their integrity, ability, and purpose to serve the state well, and to give it a broad, comprehensive, and liberal fundamental law; but what was far better, they were endowed with the full measure of human common sense. They thoroughly understood local conditions, and the imminent dangers that would threaten the new, growing state, and were actuated by one motive only, which was to give the proposed new state the benefits of their energy, wisdom and experience in the fundamental law which they should frame. They were well versed in the foundations of the science of justice, and thoroughly understood that this science is most intimately concerned with all living human interests, and therefore with the rights and duties of civilized men; that its spirit is not only in accord with, but is essential to, the prosperity and progress of all our people. They understood that the development of this science can be realized only in the use of scientific methods; by carefully collecting the facts of human experience under all the varied conditions afforded by local and national history; by the comparison and classification of these facts, and by deducing from them the rules and principles upon which human conduct may be regulated and the laws of the expanding commonwealth based. In determining the origin of our constitution then, it is necessary to set forth the general historical basis, and to trace the historical development of our particular form

*Prepared as a thesis for the Master of Arts degree in the University of Washington. The debates and proceedings of the convention were never published. Mr. Knapp gleaned information from survivors of the convention and newspapers of that day.

of government. The state constitution supplements that of the federal government, which reserves to the people all power not expressly conferred; but a striking distinction exists between the two, contained in the oft quoted expression, "The United States constitution is a grant of power; the state consitution is a limitation on legislation," and, as the necessity for such limitations appears in the ordinary growth and development of political institutions, state constitutions become more and more explicit in dealing with questions that affect the welfare of the whole community. In keeping with the growing distrust of the people in legislative bodies, the constitution of Washington, as well as all late constitutions, enters fully and explicitly into the field of legislative restriction. Some powers there are which are altogether withheld. They are granted neither to congress nor to the legislatures of the state. Such is the power to grant any person or class of persons any exclusive political honors or privileges, and the power to abridge in any way the rights of life, liberty, and property. As a matter of fact, these principles have been so long recognized as an essential part of American political institutions, that nothing is added to the real force or value of state constitutions by their incorporation in that part of the constitution known as the Bill of Rights, but which custom has rendered almost universal among the states, Michigan being the only exception. State governments depend for their structure and power entirely upon written fundamental law, upon constitutions prepared in conventions by the representatives of the people, and adopted by a vote of the electors of the state. It was upon models and precedents furnished by England and the thirteen original states that the federal government was constructed. The state governments proceed from authority higher than themselves not less distinctly than does the federal government. A very great uniformity of structure is observed in the organic law of the several states. One of the most obvious points of resemblance between them is the complete separation and perfect coordination of the three great departments of government, and these are set apart and organized under the state constitutions with a very much greater particularly than characterizes the provisions of the federal constitution. We find then, that the political institutions of the United States, are, in all their main features, simply the political institutions of England, as transplanted by the English colonists, and developed in the course of the centuries preceding the formation of our own constitution. They were worked out through fresh development and new environment to their new and characteristic forms, and always embody the highest and best of the civilization they represent. Though now possessing so large a mixture of foreign blood, a large majority of the people of the United States are of British extraction, and the settlements of New

England and the South at first contained no other element. In the North, and at the mouth of the Mississippi, there were French settlements; in Florida there were colonists from Spain. The Dutch had settled on the Hudson, and held the great port at its mouth, and the Swedes had established themselves on the Delaware. All along the coast there was rivalry among the western nations of Europe for the possession of the new continent; but by steady, and for the most part easy, steps of aggression, the English extended their domain and won the best regions of the great coast. New England, Virginia, and the Carolinas were never seriously disputed against them; and these once possessed, the intervening foreigners were soon thrust out, so that the English power had presently become a compact and centered mass which could not be dislodged, and whose ultimate expansion over the whole continent it proved impossible to stay. England was not long in widening her colonial borders; the French power was crushed out in the North; the Spanish power was limited in the South, and the colonists had only to become free to develop energy more than sufficient to make all the occupied portions of the continent thoroughly Anglo-American.

The growth of English power in America involved the expansion of English local institutions of government; as America became English, English institutions in the colonies became American, and adapted themselves to the new problems and the new conveniences of political life in separate colonies. These colonies were weak and struggling at first, then expanding, uniting, and at last triumphing, and, without losing their English character, gained American form and flavor. However, it would be utterly erroneous to say that the English planted states in America; they planted small isolated settlements, and these settlements grew into states. The process was form local, through state to national organization, and not everywhere among the English of the new continent, was the form of local government at first adopted the same. There was no invariable pattern, but everywhere a spontaneous adjustment of political means to place and circumstances. English precedent was followed by all settlements alike, but not the same English precedent. Each colony with the true English sagacity of practical habit, borrowed what was best suited for its own situation. New England had one system, Virginia another, New York and Pennsylvania still a third compounded after the other two; yet the government of these states bore in all its broader features much the same character as the rural government of England. Organization in the colonies was effected either through the machinery of counties or compact townships, and in either case, the executive power corresponded to that of similar governments in England. Contitutions are supposed to be

bodies of laws by which government is constituted and given its organization and foundation. The regulation of the relation of citizens in their private capacity does not fall within their legitimate province. The principle is fully recognized in the construction of our federal constitution, which is strong and flexible because of its admirable simplicity and its strictly constitutional scope. Constitution making in the states has proceeded upon no such idea. Ours, as well as all late constitutions, goes much more into details in its prescriptions, touching the organization of government. In this it goes far beyond organic provisions and undertakes the very ordinary but different work of legislative enactment. The statutory character of our constitution is evident in the articles on education, public indebtedness, finance, corporations and municipalities. This leaving the field of legitimate constitution making the invading the legislative department is doubtless a reflex of the industrial condition of the times, and the sentiment which placed the responsibility of financial distress upon the legislative bodies of the country.

Some of the important provisions of the state constitution are the following: The legislative power is vested in a senate and in a house of representatives, the latter to consist of not fewer than sixty-three nor more than ninty-nine members, the former to contain not more than one-half nor less than one-third as many as the latter. Senators shall be elected for four years, and the representatives for two years. The legislature shall never authorize any lottery or grant any divorce. Private and special legislation is forbidden. After January 1, 1890, the labor of convicts is not to be let out by contract, and the legislature may provide for the working of convicts for the benefit of the state. The legislature shall provide for a general and uniform system of public schools, which includes common schools, normal schools, and such technical schools as may hereafter be established. The principal of the school fund shall remain irreducible and permanent. The consolidation of competing lines of railroads is forbidden. The existence of monopolies and trusts in the state is forbidden. The use of the water of the state for irrigation, mining and manufacturing purposes shall be deemed to be a public use. Among the older states of the union there is a more noticeable variety of laws relating to the terms of senators and representatives than in our own. In Massachusetts and Rhode Island the term of representatives and senators is for a single year. In New eJrsey senators are elected for three years, one-third of the senate being renewed every year at the time of the election of representatives, who are elected for one year. A large number of the states, both old and new, limit the term of senators to one year, but in Louisiana both representatives and senators are given a term of four years.

The qualifications required of senators and representatives vary widely in the different states, but not in any essential point of principle. It is universally required that members of the legislature shall be citizens, and it is usually required that they shall be residents of the districts for which they are elected, and generally an age qualification is required. In all the states the legislature consists of two houses, a senate and a house of representatives, and in most of them the term of senators is four years, that of representatives two years, one-half of the senators being renewered every two years at the general election. There is no such difference in character, however, between the two houses of the state legislature as exists between the senate and house of representativs of the United States. Connecticut seems to have furnished the suggestions upon which the framers of the national constitution acted in deciding upon the basis and character of the representation in the two federal houses; for, in the Connecticut legislature of that time, the senate represented the towns, as the confederate unit of the state, while the house of representatives represented the people more directly. Even Connecticut has now abandoned this plan of government, and in almost all the states, representation in both houses is based directly upon population; the only difference between the senate and house being that the senate consists of fewer members representing larger districts. Often each county in the state is entitled to send several representatives to the lower house of the legislature, while several counties are combined to form a senatorial district. There is consequently no such reason for having two houses in the state as exists in the case of the federal government. The object of the federal arrangement is the representation of the two elements upon which the national government rests, namely, the popular will and a federal union of states. The state legislatures have two houses simply for the purpose of deliberation in legislation in order that legislation may be filtered through the debates of two coordinate bodies, representing slightly different constituencies both coming directly from the people, that they may escape the taint of precipitation often attached to the conclusions of a single, all powerful, popular chamber. The double organization represents no principle, but only an effort toward prudence. The historical grounds of double representation are sufficiently clear; the senate of our states are lineal descendants of the councils associated with the colonial governors, though, of course, they now represent very different principles. The colonial council emanated from the executive, while our senate emanates from the people. There is also the element of imitation of English institutions. One hundred years ago, England possessed the only great free government in the world; she was our mother land and the statesmen who

formed our constitutions naturally adopted the English fashion of legislative organization, which has since become the prevailing form among all advanced liberalized governments. They may have been influenced by more ancient examples. The two greatest nations of antiquity had double legislatures, and, because such legislatures existed in ancient as well as modern times, it was believed that they were of a superior kind. Greeks, Romans, and English alike, had at first only a single great lawmaking body, a great senate representing the elders and nobles of the community, associated with the king, and, because of the power or rank of its members, was a guiding authority in the state. In all three nations special processes produced at length legislatures representing the people also; these popular assemblies were on one plan or another, coordinated with the aristocratic assembly, and later the plan of an aristocratic chamber, and a popular chamber in close association appeared in full development. The American colonies and states copied the English chambers when they were in this stage of real coordination, before her legislature had sustained that great change which Greece and Rome had also witnessed, whereby all real power came to rest again with a single body, the popular assembly.

Our fathers determined the principles upon which government should be founded. Equally important is the task of the present generation to settle the principles upon which government shall be administered. This question the framers of our constitution attempted to approach by entering and limiting the field of legislative enactment. Had they gone farther in this field, they would have framed a more effective constitution and would have put in force many useful provisions, which have heretofore failed because of the want of legislative enactment.

Passing to a more specific consideration of the scope of local constitutions, it may be observed that the only occasion on which the people in their individual capacity possess any law making power, is in the adoption of their constitution. From that date the exercise of power is surrendered to those who are designated by the constitution to be rulers, but the constitution contains the decrees of the real sovereign, the edicts that are to bind the lawmakers of the future as well as themselves.

The virtue of a written constitution lies in its permanency. If social conditions were permanent, a constitution suitable for one generation would be suitable for the following; but old conditions have proved to be inadequate to the new adjustment of affairs in the states where they were adopted, and in the later states many new and perplexing problems must be solved. We may not expect the institutional life of the Anglo-Saxon race to become so settled and determined that it may be circumscribed

by a code of permanent laws, fundamental or otherwise. The circle must always expand, and the constitutional as well as other laws must constantly change. For the present the *form* of republican government is settled, but all the constitutional details deduced therefrom are in a state of transition. In this state of changing institutional life, one generation is not endowed with a sufficient mental acuteness to legislate for the succeeding. Could our constitution makers become a permanent body, endowed with a few centuries of life and activity, and meet every score of years to revise their preceding work, we might have a constitution approaching completeness and perfection.

The constitution of Washington, like that of other states, with one exception, commences with a Bill of Rights. The declarations contained therein are brief, general and comprehensive declarations of the rights of individuals which are deemed to be sacred. These rights are, by common understanding, considered to be inherent in the constitution of things, and are based on principles which no government can rightfully deny, and the assertion of them in constitutional provisions is not supposed to add materially to the tenure by which they are held. These declarations, of which there are thirty-two sections in the constitution of Washington, are divided into the following classes: First, those declaratory of the general provisions of republican government; such as, "All political power is inherent in the people," and "Governments derive their just powers from the consent of the governed." Second, those that are declaratory of the fundamental rights of the citizen, as, "Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right," that the rights of the people to be secure in their houses, persons, and property against unreasonable search and seizure shall not be violated. Third, those which insure to the citizen the right of an impartial trial, as "The right of trial by jury shall be preserved." "No person shall be subject to be twice put in jeopardy for the same offense." With different degrees of fullness, all the constitutions agree upon the abstract principle of equality before the law, private ownership of property, religious liberty, and they attempt to safeguard man's pursuit of happiness, but when we come to the provisions for the protection, security, and defense of these rights of the individual against the demands of the country, we find almost as much variety in substance as in form. Upon the question of property rights, the field must inevitably widen, and even the question of religious liberty permits a divergence of opinion. When we enter the field of procedure, the means of enforcing and defending fundamental rights, we find that nothing is settled. The constitution either provides that the legislature shall pass laws to enforce its provisions, or it expects the leg-

islature to pass them, but as it is impossible for the constitution to dictate what laws the future legislatures may pass, many provisions of our constitution remain nugatory. The practical statement of these inalienable rights is, that by reason of the enlightened age in which we live most people are entitled to them, but that any person may forfeit any of them by violation of the laws governing society, and may lose some of them by misfortune without violating any law. We see then that these declarations found in our constitutions contain nothing original, and little of value. They are simply relics of the gage of battle thrown by the people before the oppressive rulers of past decades. They have been repeatedly expressed from the time of the first English Declaration of Rights until there is no one to dispute them in the abstract. A necessary incident to the security of the state is the lodgement of power somewhere to determine under what circumstances these natural rights may be abridged or denied. This is the work of the legislative power of society, and in its final analysis it embraces all power. There is no such thing as coordinate branches of government except so far as constitutional provisions create them. In the nature of things the legislature is supreme and legally omnipotent. A careful consideration of state constitutions will determine that they do not contain much of value except inhibitions, restraints and safeguards against legislative encroachments upon the rights of individuals either by direct enactment or through the agency of other branches of government. Under a government republican in fact as well as in form, such as are the American states, with suffrage nearly universal there is no fear of the invasion of the natural rights of man by those in authority, unless under the color of legislation. This applies to the extension of judicial authority by injunction so often complained of, and which the legislature has power to control. The clause of our constitution relative to the appropriation of money for the support of religious bodies seems to have been taken from the constitution of Oregon, although the provisions of the constitution of California, and the other code states relating thereto does not vary much from the one adopted. Declaration concerning religion and worship were very elaborate in the early contitutions, and, as questions relating to religious liberty have become generally accepted, the principles become more generally stated in the constitutions, but have proceeded with more or less detail to inhibit meddling with religious questions by the government.

In common with all other people who have inherited their system of jurisprudence from England, Americans have recognized the right of trial by jury as necessary to the maintenance of their liberties. The jury has its foundation in the thought that by such a tribunal the individual could be secure against all oppressive influence, but it has its support in the fact,

that in judging the affairs of men, of the meaning and intention of their conduct and words, the purposes inspiring their action, of the motives prompting their motions, the average judgment of a number of persons drawn together from the active business pursuits of the world, is more likely to be correct, than the judgment of any one person devoted for years to a special line of work or thought. Theorists and demagogues will continue to denounce the jury system as a useless and even harmful encumbrance upon the administration of justice, but practical, shrewd business men of the world, and the great mass of lawyers and judges, thoroughly familiar with the rights and privileges of the people and the processes of judicial administration, are not likely to agree with them. In order, however, to preserve the rights and safeguards of trial by jury, it is not necessary to hold sacredly to the ancient form of empannelling the jury, the number of jurors or a unanimity of agreement, especially in civil cases. Many of these fictions and obscurities were created in the dim past, and their only ground for respect and a place in modern jurisprudence is, that they have existed so long that the memory of man runneth not to the contrary. Such appendages and subtilities will continue to be created by unscrupulous lawyers to defeat the aims of justice, but wherever constitutional provisions simplify the law it promotes the ends of justice. Trial by jury must be treated as a living useful force, so flexible as to be adapted to the present needs of society, and not an unyielding petrification from the past. All the state constitutions contain substantially the following provision: "The right of trial by jury shall remain inviolate." All the code states, commencing with New York, have swept away the accumulated rubbish of ages concerning the drawing and testing of the jury, and in civil cases the sacred number of twelve and the unanimous verdict have received like treatment. The most advanced constitutional provisions before the framers of the Washington constitution on the subject of trial by jury were those contained in the constitution of California, where, in all civil cases two-thirds may render a verdict, and a trial by jury may be waived by the parties in all cases not amounting to felony, by the consent of both parties expressed in open court, and in civil cases and in misdemeanors the jury may consist of any number less than twelve upon which the parties may agree. There is no longer a necessity of a grand jury composed as is required by the common law. If a grand jury were a necessity, or could serve any good purpose, a small body of representative men, fairly selected, would be far more efficient, on the rule that small bodies work with more directness and greater effectiveness than larger ones. While the grand jury, which was once considered an efficient instrument of justice, has not been abolished,

it has received scanty recognition in all the constitutions of the code states, and is called only at the discretion of the trial judges. As an instrument of justice, it is known by attorneys to have lost much of its usefulness. It has little force or power of investigation not already in the hands of the court and district attorney. Unless a special prosecutor is appointed by the court, which is rarely done, the district attorney often virtually controls the acts of the grand jury. The calling of witnesses and their examination is usually left to him. No other attorney is present, and he becomes the judge before the grand jury of the sufficiency of the evidence produced to secure a conviction. He prepares the indictments for the grand jury, and also often writes their report to the court, which he usually so words as to whitewash the stains of suspicion that may rest on his friends in office, or to terrify his enemies. It is further a sort of star chamber proceeding, for the free for all discussion of the possible misdeeds of any or all persons in the community. Its usefulness is found in satisfying a popular clamor against officials in office and it also relieves the court and district attorney of the possible odium attached to the suspicion that they are not doing their whole duty in the matter of exposure and prosecution of official crookedness. As a rule, the grand jury creates a public sentiment against the person investigated or indicted, for the public is prone to regard the person even investigated by a grand jury as delinquent and a return of an indictment implies guilt to many people. The passing of the grand jury in some instances and its restriction by constitutional provisions in others, may be regarded as an advance in jurisprudence, and a clearing away of the judicial rubbish of the ages.

The Taking of Private Property for Public Use

Most of the constitutions now in force prohibit the taking of private property for public use without compensation, but experience has demonstrated that such a general provision is entirely inadequate to prevent great injustice, and often the most serious oppression. The taking of private property in many cases is of even less consequence than the injuries inflicted by the use of adjacent property; so, in many state constitutions, provision is made for that class of cases by adding the words "or damaged," in order that the rights of the individual to the enjoyment of his possessions shall not be invaded and he be wrongfully deprived of his property by measures not falling literally within the prohibition against taking private property. So far no state has receded from this provision wherever guaranteed in its constitution.

Citizenship and Suffrage

The constitution restricts the right of suffrage, except in school elections, to the male citizens over twenty-one years of age; but a clause was submitted for the vote of the electors of the state of Washington relative to woman suffrage, the same to be incorporated into the constituion if carried, but the clause was defeated at the same election when the constitution was adopted. The debates and proceedings of the convention show that much pressure and influence was used in the convention for the purpose of securing a clause that would extend the franchise to women; it was defeated and the framers of the constitution evidently acted wisely in the matter, as subsequent events showed that such a clause would in all probability have resulted in the non-ratification of the constitution. From the records of these debates it may be deduced that experience down to that time proved absolutely nothing, one way or another concerning harm, either to the commonwealth or to woman by the extension of the franchise permitting her to vote on all questions at both general and special elections. In the experiments tried in other states it was shown that the state had not been greatly benefited by it. Where the right had been extended the party machinery in the control of the state had not been weakened, and the political atmosphere had not been purified. On the other hand, intelligent and capable women had not neglected the right to vote when given the opportunity. Neither had they neglected home duties for politics, nor had they sought to fill or control the offices so long held by men. The state had not been humiliated or degraded by them, nor had politics been rendered more corrupt. No evidence was before the convention showing that the great mass of women wanted suffrage. As a practical and reasonable solution of the whole problem, it was suggested that the question be submitted to the female population of the state wherein it is proposed to confer the franchise, requiring a majority of at least three-fourths of such population to give the provision force.*

Judiciary

The plan of a judiciary organization adapted in Washington is substantially that which has been in force in California since the adoption by that state of the constitution of 1879. It is a most radical departure from the common law or itinerant system so long in force in England. In 1848 the state of New York became the pioneer in this reform and swept away the complicated machinery that had heretofore encumbered

*Note—Since this thesis was written the Constitution was amended so as to confer suffrage upon women.—Editor.

the administration of justice. Twenty-five states have since followed this reform procedure, and the British judiciary has also adopted it, and in many respects the reform has proceeded more radically and rapidly in England than in America. The judicial system of the federal courts, as with many of the traditional forms of the federal government, descend to us from our English ancestors, and the character thus impressed upon them, though modified somewhat, has not disappeared. The judges are still appointed by the executive head of the government, and with the consent of the senate, and hold office for life. A former citizen of the British Empire, of Scotch descent, contended with all the force in his power, in the Washington constitutional convention for an appointive judiciary. He sincerely believed that it would be subservient to a corrupt political ring and the whims of the rabble if constituted by popular election. This was the tendency and system of all the earlier states, and it was not given up by Oregon until 1878. The draft of our constitution as first submitted to the convention gave the supreme court revisionary power instead of appellate jurisdiction over the lower courts, but this system was not included in the report of the committee on the judiciary. The debates in the committee of the whole show a strong opposition to the executive appointment of judges; that the same is inconsistent with the spirit of republican government, and that the vestment of both original and appellate jurisdiction in the same court is objectionable in principle and inconsistent in practice. The election of judges by popular vote, their tenure fixed at a definite number of years, the vesting of revisionary jurisdiction in courts not composed of judges of the courts of original jurisdiction, seems to be now regarded as necessary to the best realization of republican government. None of the more recent constitutions contain the old judicial system, and the more ancient and cumbersome features of the system have gone out of most of the older ones. In Maine, New Hampshire, Massachusetts, and New Jersey, the governor still appoints, subject to the confirmation or rejection of the senate. In Vermont and Connecticut, the justices of the supreme court are elected by the legislature, and only three states now hold to the life tenure of any of the judges; and only one, namely, Delaware, applies it to any but to those of the supreme court. In Vermont the term of the supreme judges is one year; in Ohio five years; in Wisconsin, Iowa, Kansas, and Oregon six years; Maine, New Jersey, Indiana, and Minnesota, sevent years; Connecticut and Michigan, eight; Illinois, nine; Maryland and California, twelve, and Pennsylvania, twenty years. The convention discussed at length the Oregon plan with its separate county court, and the California system by which all civil and criminal jurisdiction, law, equity, and pro-

bate, excepting only the small matters given to the justice of the peace, is conferred originally upon a single court called the superior court, without term, always open and subject to the right of appeal to the supreme court. It appeared to the committee and the convention that the latter system is in many ways preferable. It is better adapted to the expedious transaction of business, to the correct, just and uniform application and administration of the law. The judicial committee of our constitutional convention met these questions with a determination to simplify the processes of the courts, and this committee, headed by one of the ablest lawyers the west has produced, took hold of the matter with intelligent purpose and demonstrated that much that had been thought necessary in judicial procedure was useless rubbish, and much that had been thought to promote justice only obstructed it. These reforms were carried through and made a part of the Constitution of the State of California against the opposition of many able, conservative lawyers, who naturally distrusted any scheme making a radical change in the practice of the courts; but it has proved satisfactory to the members of the bar of California, as well as in this state, where it was adopted by constitutional enactment. This method of procedure has been adopted by all of the new states and is being incorporated into the laws of many of the older states. The vesting of jurisdiction in all classes of cases, law and equity, civil and criminal, in the same court, dispenses with many embarrassing questions, and simplifies others very greatly. This also saves much time of the courts which under other circumstances is consumed in disposing of technical and jurisdictional disputes.

Corporations

The growth of power, and the arrogant disregard of laws and the rights of the people, by corporations made the question of limiting corporate power one of the most vital and earnestly discussed questions before the constitutional convention. The members were keenly awake to the situation, and knew that the growth and menacing attitude of this unscrupulous power must be curbed in some way. They were confronted with the problem of corporate land grabs; the extension of the claims of the Northern Pacific railway to lands not earned by its charter; the attempts to own and control the tide lands, and a strong legislative lobby attempting to pass provisions confirming territorial grants of land; the desire of a number of members to legalize by constitutional enactment the granting of subsidies from counties and cities to aid certain corporations in railroad building opened before the convention the whole question of corporate greed and dominance. It is, therefore, not strange that

the very first resolution introduced into the convention was one limiting corporate power. The convention was also confronted with the fact that Washington was a young, growing state needing corporate wealth for the development of her resources, and the members of the convention were alive to the fact that they must not place such burdensome restrictions in their constitution as would drive corporate enterprise out of the state. They early decided that it was impracticable to provide in the constitution a complete and detailed provision for the control of corporations, so they concluded that the best that could be done was to lay down restrictions that should prevent the oppressive use of crporate power, and to prevent such legislation, under the influence of passion or prejudice as should be unjust to those who risk their fortunes on legitimate corporate enterprises. They knew that if the state was to develop, the free use of capital must be encouraged, the investment of property be made secure, and, at the same time it was evident to all that the rapacity that seems too often to be developed in connection with large aggregations of capital must be restricted. The constitutional provisions enacted under this head have been demonstrated to be wise, and it is probable that little of value was withheld or too much added. It is to be regretted that subsequent legislatures have not acted with similar deliberation and wisdom in the discussion of this question.

Counties, Cities and Towns

The incorporation of cities and towns by special act of the legislature, has, in many instances, proven to be a fountain of evil in the states where it prevails. There is no branch of government more completely adapted to the purposes of those who make the filthiest a trade than the manipulation of city charters, where their enactment is controlled by special laws. The arena for the construction of these charters becomes the feeding ground of the labor lobbyists and corporate henchmen who are sure to besiege the legislators with offers of bribery in one form or another, whenever there is an opportunity in prospect for them to enrich themselves by municipal plunder. The plan of regulating municipal government by general law has been adopted in many of the states, and has proved an efficient remedy for the evil. The direct sources of those parts of the constitution relative to county, township and municipal government do not appear from the published reports of the convention, and their sources must be traced by analogy and comparison. The members of the convention were thoroughly familiar with the evils of special legislation as worked out in several of the states. Sufficient material was introduced on this provision the first ten days of the session to form the constitution.

Corporations, religious and benevolent societies, labor organizations, boards of trade, extreme theorists, and consrvative attorneys flooded the convention, and the committees, with their peculiar beliefs, and their suggestions concerning the contents of the constitution. Many members of the convention received impertinent, even insulting, letters from the advocates of different theories of government when some pet scheme did not receive the consideration at the hands of the convention its promoters thought it merited.

A very distinguished lawyer of the state prepared the full draft of the constitution taken from the organic laws of Oregon, California, Wisconsin and Iowa, supplemented with such original clauses as many years of experience in legislation and the interpretation of laws led him to consider desirable in a state constitution. While no part of the document prepared by Mr. Hill was adopted verbatim, its source and merit were such that it received the unbiased consideration of the members of the convention, and it probably contributed more to the finished product as adopted by the convention than any other written document. Mr. Hill's draft of a constitution was published on July 4, the date of the convening of the convention; it at once attracted the attention of all members, and copies of it were eagerly sought and read by the members present. This draft of a constitution was a finished and scholarly product, well adapted to the needs of the new commonwealth, and was the subject of complimentary remarks by many of the members, but just the amount of weight it had in determining the form and context of the adopted constitution can be estimated by none but the members of the different committees. While there are differences in the two states as to minor details, it may be said in general that the draft of the committee on county, city, and township organization, like the judiciary, follows very closely the California plan. For instance, section four in the California constitution of 1879 and the Washington constitution are identical in every respect, subject matter, context, words and punctuation marks. This section provides for the organization of county government which shall be uniform, and the legislature must provide by general law for township government, whenever a majority of the qualified electors of such county, voting at a general election, shall so determine. A similarity exists in other important features. The first part of section ten of the Washington constitution and all of section six are taken from the California constitution. This section provides that corporations for municipal purposes shall not be created by special laws. A long and spirited debate took place in the committee of the whole relative to the size of cities that should be permitted to frame their own charter. The views expressed by the dif-

ferent members of the convention favored a range of from five thousand to fifty thousand inhabitants, but as there were no cities in the state upon which the fifty thousand experiment could be tried, a satisfactory compromise was reached on twenty thousand. On the report of the committee on revenue and taxation it was proposed to limit municipal indebtedness to five per cent of the assessed valuation. Seattle had just suffered millions of dollars of loss in a great fire. Her streets, wharves, and public buildings were in ruins. Should the proposed clause become a part of the constitution, there could be no repairs or other public improvements in the city. The young city immediately manifested what has become known far and wide as the "Seattle Spirit." Public meetings were held. Protests were made. Resolutions were passed, and a delegation of representative men waited on the constitutional committee and presented the case of Seattle's need. The action of the city seems to have changed the minds of the committee. As a result, we have the very excellent provision of the constitution authorizing an additional five per cent indebtedness for supplying the city with water, artificial light and sewers, when the works for supplying such city or town with water, artificial light or sewers shall be owned and controlled by the municipality. This is the source of section six on Revenue and Taxation, and Seatttle's misfortune and extreme need is the source of municipal ownership of water and light in this state.

Public Lands

The subject of public lands, especially those belonging to the state by virtue of its sovereignty, lying between high and low water mark, at the margin of our navigable waters, presented many difficult problems to the convention for solution. Its importance in the state of Washington is far greater than in any staet that had heretofore been admitted into the Union. In solving these problems it was assumed from the beginning that whatever conclusions might be reached as to their disposal would be unsatisfactory to many persons. It is also noticeable that the question of the disposal of the public lands, especially tide lands, was one of the first subjects discussed in the convention, and was the last one definitely settled. To the honor of the convention and as proof of the integrity of its members, in spite of the powerful and influential lobby maintained by opposing interests, and the great wealth at stake, the convention made a wise and satisfactory disposal of these lands in the closing hours of the session. Some of the members were in favor of leaving the whole question to legislative enactment; others thought the land should never be sold, but that it should be retained by the state, and an income

derived from it perpetually. The situation in Washington was different from that in any other community. When the other states came into the Union the relation of the public and the individual to the lands held by the commonwealth was settled and defined by the previous condition of society. At this time, in most of the older states land was of little value, for the forces that give value to real property had not then been developed, and there was little cause to consider the problems that later developed in Washington in relation thereto. By the Enabling Act of Congress, on the entry of the state into the Union, it became possessed by federal grant of a large amount of valuable land, granted for school and other purposes. This land was recognized to be of great value for its timber as well as agricultural possibilities, and the members of the convention were alive to the fact that they should not be disposed of, or relinquished for a nominal consideration, as had been done with the lands of states that had previously come into the Union. The convention also recognized the fact that not by special grant, but by virtue of the inherent sovereignty of the state, it would hold more of the class of lands called shore lands than any other state of the Union, and by reason of the peculiar situation of these lands on a safe, warm harbor, facing the world's greatest center of population, they were destined to become of inestimable value. These lands embraceall of the shore or waterfront of all of its navigable waters between low water mark and ordinary high water. Their extent and value can hardly be appreciated. The following extract is taken from a paper read before the bar association of Tacoma during the session of the constitutional convention, and is undoubtedly a true representation of the public opinion that influenced the convention in its righteous action concerning these lands: "Every industry on Puget Sound is affected by the settlement of the ownership of the shore lands. Wherever we may turn we find a deadly conflict of interest, and the duty of the wise statesman should be to effect such a settlement as will produce the greatest good to the greatest number. But settled this question must be. There are over twenty-five hundred miles of coast line in the Territory of Washington, and the interests involved are altogether too great to allow doubts to longer exist as to the main points of the controversy. It is asserted that no other state has made constituional declaration as to its right to this land, and for that reason it is urged that the state of Washington should not do so. To no other state, save some of the original thirteen, has the question been of so great moment. The Gulf states, California and Oregon are the only other states in which this question could have had prominence, and the civilization of none of them had advanced to such an extent as to render the subject of such interest that

a declaration of the constitution would be warranted. It is only of late years that the question has become a mooted one. Some recent writers and recent courts are attempting to establish a different rule of law from that which formerly obtained, and for this reason, if for no other, the people of the state should declare what their rights are in the premises."

This forcible and clear declaration may be the true source of the clause of the constitution relating to the tide lands; at any rate it is a concise statement of the opinions held by many representative citizens of the state, and it is a noteworthy fact that the voice of the people here expressed was crystallized in the acts of the convention. There was possibly no legal ground for the adverse claims of settlers on the tide flats, or of the corporate interests that hoped to control them, for, before the formation of the constitution, it had been regarded as a settled principle, that all such lands were he property of the state by virtue of its sovereignty immediately on coming into the Union, from which would legally follow the right and power to dispose of them whether occupied by individuals, municipal or private corporations. It was also settled by a recent decision of the supreme court that any grant of land by the United States when the commonwealth was under territorial form of government, conveying any of these tide lands confers no title upon the grantee. Also that riparian or lattorial proprietors of land fronting upon the tide lands have no rights in them that the state is bound to respect. In the state of Oregon, the legal position with respect to these lands was identical with that of Washington before it became a state. This question came before the supreme court of the state of Oregon in the case of *Hinman vs. Warren*, and, following the decision of the supreme court of the United States, the state court held that a United States patent was insufficient to convey tide lands, and that the title derived from the state was the true title to the lands in dispute. A glance over the history of the states that have come into the Union will show that the public lands of these states have been generally a temptation and inducement to schemes of speculators, and have thus become a field of jobbery and a source of corruption. These lands, which should be held as a sacred trust for the people, had in most cases been squandered, and the people have realized little from them in proportion to their true value. In the case of Washington the great value of all of these lands tended to aggravate the evils of private and corporate greed, and became the inspiration for original schemes for their capture. It was, therefore, fortunate that state ownership was distinctly declared in the constitution and legislative restrictions placed on their disposal. It is impossible, however, for constitutional provisions to convert professional lobbyists into honest citizens, or speculators into dis-

interested patriots, or to entirely preclude, in all cases, a combination of these classes from partial success in their undertakings. These tide lands are useful for the most part for sites for manufacturing and commercial establishments, and as approaches to the water. The problem before the convention, therefore, was to preserve these lands from the cupidity of the unscrupulous speculator, and to make provisions whereby the state should realize something like the actual value of these lands as circumstances and time should increase their value. All the cities and towns lying on the waterfront are necessarily centers of trade and commerce. Their streets, alleys and public buildings are for the use of the whole people and it is eminently proper that so far as they are needed for streets or other public uses they should be freely devoted to that purpose and no claim or equity of persons who have merely taken possession of them should be allowed to stand in the way of the people in the enjoyment of their higher right in them. It was early apparent that a powerful railroad lobby would be maintained at Olympia opposed to any constitutional restrictions on the subject of tide lands, in order that the whole matter might go over to future legislation, for it was believed by this lobby that if action could be deferred a legislature might some time be favorable to, and amenable to corporate influence, and the complete failure of the lobby in its purpose demonstrates the honesty and democratic tendency of the convention.

Legislature, Scope of the Subject

An examination of the proceedings of the convention in the committee of the whole on the legislative branches of the government does not definitely reveal the source of the article under consideration. It contains, in common with all recent constitutions, a great many restrictions on legislative enactment. Some of them are found in the proposed constitution of '78; some in the constitution of California; others are evidently reflections of the experience and sentiments of individual members of the convention. Changes in the form and wording of the different clauses were made in the committee, and the principal debates seem to cluster around the question of the number that should constitute the house and senate respectively. So far as can be learned, no extreme views concerning the formation of the legislature were expressed. The three departments of government were accepted without question, and the two branches of the legislature were recognized. The proposition for an annual session of the legislature was not taken seriously, nor was the problem of only one legislative body, which was discussed so long and seriously in Dakota, referred to except in a facetious manner. In entending the scope of leg-

islative power the members of the convention seem to have acted with extreme caution. While it has been a settled principle for many generations that the people possess all legislative power, in the past, this has been committed in a most general way to the state legislatures, reserving and saving such restrictions only as are imposed by the constitution of the state. In the absence of these restrictions, the legislature may exercise all power not strictly judicial or executive. The great difficulty of recent conventions has been to define and limit this legislative power. Probably the state suffers from no cause more than from the prolixity of incompetent legislation, which fills the codes with provisions that are inoperative or useless, because of the carelessness or incompetency of lawmakers. Of this a recent session of the legislature afforded a brilliant example, especially in the new criminal code enacted. The general and larger class of legislative prohibitions and restrictions are fixed by the general principles of the law, and they spring from the fact that the purpose sought to be accomplisehd by statute is either affected by judicial proceedings or is an invasion of judicial authority. One of these is given in our constitution extending prohibitions to acts authorizing the sale or mortgaging of real or personal property of minors or others under disability. The theory of this prohibition is, of course, that such persons are wards of the state under its special care and guardianship, that all questions of their condition and the disposal of their property become special objects of trust, and matters of judicial determination only. Legislative invasion of this field, therefore, would be manifestly an usurpation of the judicial function of government. Another constitutional prohibition is found in the clause prohibiting the legislature from granting divorces or authorizing the adoption of children. These questions and the consequences growing out of them are usually considered as judicial, and, therefore, their control by legislative authority would be an invasion of the function of the judiciary. Similar reasons might be given for the eighteen prohibitions against legislation in the constitution. That these prohibitions are not copied verbatim from any other constitution shows that the convention contained men of sufficient originality, ability and legal training to formulate these prohibitions along lines they believed to be important. In regard to the limitation of legislative power, the states have been drifting further and further from the fountain head, the source of our form of government. "The power and jurisdiction of Parliament," says the distinguished English authority, Sir Edmund Coke, 4 Inst. 36, "is so transcendent and absolute that it cannot be confined within any bounds." "It has sovereign and uncontrolled authority in the making, confirming, restraining, abrogating, and expounding of laws of all possible deominations, ecclesiastical

or temporal, civil, military, maritime, or criminal." "True it is that what Parliament doth, no authority upon earth can undo; so it is a matter most essential to this kingdom that the members of this most important trust be most eminent for their probity, their fortitude, and their knowledge." No such legislative power exists in America, except in the constitutional conventions, when the representatives of the people are assembled to declare the basis of the law, and to impose restrictions upon those that may in the future represent them in the functions of government. It is not believed that the framers of the constitution went beyond their rightful authority in Article Eleven, creating and defining the limits of legislative authority. This article in the constitution of Washington contains thirty-nine sections; that of the constitution of Montana forty-five sections; and the constitution of California thirty-five sections. The clauses creating the legislature, providing for the manner of election, term of office and the organization of the legislature, are similar in all of the constitutions, and we need look no further than to these instruments for the origin of similar clauses in ours. As to the number of members constituting the house and the relative size of the senate, there was a wide dieffrence of opinion. None of the members favored a very small house, for the reason, as they expressed it, that there would be danger of corporate control. Many favored a senate one-third the size of the legislature, and the compromise of section two, fixing the size of the house at not less than sixty-three, nor more than ninety-nine members, and the senate at not more than one-half nor less than one-third of the legislature, was finally passed. Among the provisions not found in many of the late constitutions are the following: "Any bill may originate in either house of the legislature." "A bill passed by one house may be amended by the other." This section is taken verbatim from the proposed constitution of '78, and is an advanced step in democratic government, refuting the time-honored fiction that the senate represents a different factor of the commonwealth than the house, an idea borrowed, of course, from the English Parliament. "The offense of bribery and corrupt solicitation of members shall be defined and punished by law." The constitution here follows that of California in substance, and the clause indicates a growing distrust in the minds of the people of the legislature. California, in her constitution of '79, goes even further and attempts to prevent lobbying for the purpose of influencing the legislature. Another extraordinary and possibly unjust measure is contained in the sweeping declaration against the ownership of land by aliens, and declaring that every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibi-

tion. Efforts have been made to enforce this section literally, but its rigors have been modified by judicial construction, to the extent that titles to property acquired by foreigners and afterward sold, have been pronounced valid. These radical prohibitions contained in the constitution may be traced to their source. About the time of the meeting of the convention curb-stone orators of both domestic and foreign extraction, hypocritical college professors, newspaper and economic writers were again exploiting the time honored and high sounding sentiment "America for Americans." This phrase was used as a shibboleth to gain favor with the numerous labor organizations that were so prominent in politics just at that time. Several papers and journals which were circulated among the members were given exclusively to the advocating of the principle of the reservation of the public domain, and all lands, exclusively to citizens of this country. The statistics contained in these papers, together with numerous resolutions on the subject from organized bodies, were read in the convention. California was still under the control of her foreign sand-lot orators, and had passed radical restrictive legislation, both civil and constitutional, against the Chinese. All the influence that organized labor in all of its departments could command was brought to bear on this question. Undoubtedly the members of the convention with their democratic tendencies also saw a serious menace to the country in the steady absorption of land in large tracts by foreign corporations, but, instead of providing a reasonable restriction upon such ownership, they greatly retarded the industrial development of the state by the sweeping prohibition incorporated in the constitution. In a convention simultaneously held, Montana provided in her constitution that foreigners and denizens and aliens should have the same rights as citizens to hold mining property, and all other lands and hereditaments appurtenant thereto, while South Dakota declared in her constitution that there should be no discrimination between citizens and foreigners as to the rights to hold land. As these states had so many interests in common with Washington adopted a different rule on that subject, we must conclude that the influence of the constitution of California, in which were crystallized many of the peculiar interests of the coast states, predominated here. The last clause of the draft presented by the legislative committee is probably original with some member of the convention, for it had not been incorporated in any state constitution prior to that date. Section thirty-nine reads: "It shall be unlawful for any person holding public office in this state to accept or use a pass, or to purchase or accept transportation from any railroad or other corporation otherwise than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision." This

section was undoubtedly passed against individual self interest, and in the interest of the unrestrained administration of public affairs. The attempts and success of great corporations in influencing legislation, and the administration of laws at the period of the state convention is well known. No person could be elected to any public office in which the railroad companies had the slightest interest, but he immediately became the object of the kindest solicitude of those corporations. If an attorney, he was immediately visited by the eminent counsel of the railway companies, and consulted concerning legal business that might possibly arise, and in token of the high esteem of the corporation was given a retainer, which he was informed, would in no case interfere with the discharge of his official duties and his duties to his constituents. He was asked to sign a receipt for the retainer, which consisted of a small piece of neatly printed colored pasteboard numbered ———, by which the honored recipient had the privilege of free transportation over the lines of the company within the state, and often, in the case of the legislators, the courtesy of special trips was extended to the members of his family; but in all cases the donor, always, in unmistakable words disclaimed any intention of seeking or expecting to secure any favorable consideration where the donee's official duty would prompt him to a different course. All state, most county officials, judges, members of congress and the state legislature had the free and honorable rights of going on trips of pleasure or profit as guests of the railway companies, while their less favored constituents, riding in the same cars, paying their fares, knew that they must also pay for their more fortunate neighbors. Meanwhile the honorable duly elect, who lived only to serve the needs of the people, became suddenly awakened to the fact that these corporations were in truth much abused great public benefactors. He was also made to see that the country could not possibly have been developed to any great extent without them, and that legislative restriction on the corporate will would at once arrest all industrial development. It was, therefore, his duty as a good public servant, and especially if a state's attorney, to see that these beneficent corporations were not oppressed with a multiplicity of suits. If a judge, he would hear with undivided attention the interesting and able arguments of counsel for the corporation and carefully examine all cases cited bearing on the subject. If a legislator, he would so guard the people's interests that oppressive legislation restricting the powers of these great public benefactors should not pass except over his protests and efforts. If an assessor, he would surely see that the unproductive corporate realty should be measured by a fair standard and not too high. As a matter of fact, the members of the convention recognized that these al-

leged gifts and retainers were one of the most effective means ever used for official bribery and corruption. Most of them knew from experience that no man accepting and riding on a pass has the same equitable balance of mind between the corporation and the people that he has without it. In some instances it might truly be said to be a means of removing an unjust prejudice from the mind of the recipient, but in all cases the person holding the pass could not be regarded otherwise than a paid attorney of the corporation. These restrictions on legislative action then, we may conclude, are indicative of the onward march of true democracy, for, of all oppressive and unjust instruments of government the legislature is the greatest and most irresponsible. This has been demonstrated in all states and ages of history, and it seems probable that the time will come, when, by constitutional restrictions, state legislation will be limited to a definite field of activity. So long as legislators enter a mad race for the enactment of laws, the courts must be burdened with cases giving construction to the irresponsible and unintelligible acts of the legislature. The spirit of democracy demands that the right of the people to a settled and economical administration of government be recognized, and this the people have as much right to demand as any other right enumerated in the fundamental law. We may then predict that future conventions, taught by the necessities of the past, will restrict the sphere of the legislature more and more. The Dakota plan for one house is not so undemocratic or dangerous as might at first appear. The reasons for a bicameral state legislature are entirely obsolete, and experience shows that nothing would do more to secure an economical and effective administration of government than the abolishment of the biennial session of the legislature. Future constitutional conventions will be called to consider and settle the problems of the administration of government. It has been said by a foreign writer that America has settled the utility of democratic government, but that America has not yet learned the first principle of governmental administration. Future conventions may, therefore, create an elective branch that will be charged with the administration of all governmental affairs.

Specific Work of the Convention

The specific work of the convention may be summarized as follows: It met simultaneously with the constitutional conventions of Montana, Idaho, North Dakota and South Dakota. The delegates were elected by popular vote and formed a body of able, conscientious men representing all the avenues of life. The permanent chairman was a distinguished citizen, honored for his fairness, impartiality and integrity. The temporary

chairman reflected the sentiments of the members of the convention in his introductory remarks, which were as follows: "I am grateful, gentlemen, for this honor. . We are here at this time in the discharge of a most important duty. We are here for the purpose of making history, and from this good hour we will be more or less remotely connected with the history of the state. There is nothing in this connection that I can say that will enlighten you as to your duties. It has always seemed to me, as it does to every gentleman in this body, that all men cannot be great, but there is one consolation in this reflection, that every man can be true to his duty. Upon the memorable occasion of the battle of Trafalgar, in which the British forces were led by that magnificent historical hero, Lord Nelson, a pennant was run up to the head of the vessel, upon which were these words: 'England expects every man to do his duty.' The people of Washington Territory, and those who come after us expect us to enter upon the discharge of duty, and they expect and require at our hands that every man shall discharge that duty. What I have to say upon this occasion, if I would impress any one thing upon you more than another, is that we shall move up to action, every one of us with the firm resolve to do his duty. We have the defense of this commonwealth in our keeping, and if we do our duty will have the consolation of having preserved the faith, and discharged the trust imposed upon us, and future generations of this Territory will say that we have fought a good fight."

On July 5 the committee on rules reported the committees thought to be necessary for the transaction of the business of the convention. A debate immediately arose on the appointment of the membership of these committees, whether by election or by the chairman. The question was decided in favor of appointment, and the convention adjourned until July 9, when the president of the convention, Judge Hoyt, announced the appointment of the several committees, and the rules to govern the convention were read and approved. The spirit of the times, the democratic tendency and determination to effectively curb the growing power of monopolistic combinations, was shown in the first resolution introduced in the convention, which may be taken as the foundation of the corporation legislation that was soon to become part of the constitution. This resolution on Trusts and Monopolies, introduced by Mr. Kinnear of Seattle, was as follows:

"WHEREAS, The formation of trusts and combinations for the purpose of fixing the prices and regulating the production of the various articles of commerce is one of the existing and growing evils of the day, preventing fair and honest competition in the various industries in which

our people are engaged and certain to retard the onward march of the new state to commercial greatness; therefore, be it

"RESOLVED, That this subject be referred to the appropriate committee with instructions to prepare and submit to the convention a clause providing in substance that no incorporated company in the state of Washington shall directly or indirectly combine or make any other contract with any other incorporated company, foreign or domestic, through their stockholders or the trustees or assignees of such stockholders, or in any manner whatever for the purpose of fixing the prices or regulating the production of any article of commerce; and that the legislature be required to pass laws for the enforcement thereof by adequate penalties to the extent, if necessary for the purpose, of the forfeiture of their property and franchise."

Mr. Kinnear argued in favor of this resolution. Mr. Buchannan, of Ritzville, followed in an earnest speech against trusts and the accumulation of immense fortunes at the expense of the people who receive no adequate return for the great sums absorbed from them. Mr. Sullivan, of Whitman County, advocated the adoption of the resolution with the added suggestion that they be forever afterward precluded from doing business in the state. Mr. Cosgrove approved the resolution, but thought it was not broad enough, that it ought to include the corporations and monopolies that fix freight and railroad fares. After extended debate it was moved to refer the resolution to the committee on corporations. This motion prevailed by a vote of forty-three to twenty-three.

In the published convention notes of the day, it is stated that the numerous woman suffrage advocates present were furious because the committee having that question in charge was said to be opposed to the whole question in any shape, manner or form.

On July 10, resolutions of the Tacoma Typographical Union were read, requesting that the following provisions be incorporated in the constitution.

1. Provisions for an absolutely secret ballot.
2. The selection of all servants of the people by the elective method, no appointive power to be invested in any state or municipal officer.
3. Minority representation.
4. That when one-third of the members of the legislature demand the submission of a measure to popular vote, it shall be so submitted.
5. Enabling municipalities to own and conduct such municipal enterprises and public conveyances as the people may choose to own and control.

6. The taxation of land held for use equally as high as that actually used.

7. The preservation by the state of tide lands, school lands, and all lands ceded to the state by the United States forever. The same to be treated so as to secure the highest possible perpetual income to the state and schools.

8. Forbidding the operation of all private detective agencies. No arrrests to be made or laws enforced by others than the constitutionally qualified officers.

9. Providing for annual sessions of the legislature, and that no restrictions shall be placed on the length of the session.

10. An expeditious method of amending the organic law so as to make it conform to changing conditions.

These resolutions were not afterwards referred to in the report of the committees, or in the debates, so they cannot be said to be the source of any part of the constitution. But another matter bearing on the origin of the constitution is mentioned in the notes of the day as follows:

"The admirable draft of a State Constitution by W. Lair Hill, which appeared in the Oregonian of the 4th inst., has been the theme of many of the members, who look upon it in the main as just such a constitution as is needed for the new state. The Oregonian of that date has been largely in demand by the members ever since its issue."

The notes of the convention show that from the day of the organization of the committees they were flooded with resolutions, which, until the rules were amended, were required to be reported to the convention within three days after submission. Outside of the complete draft of a constitution above referred to, sufficient material was submitted during the first ten days of the session to make a dozen complete constitutions. Among the more important were the following, a resolution submitted by Mr. Griffiths, to the effect that lands owned by the state, save certain lands dedicated by special grant for school and other purposes, shall never be sold, but that the title shall remain forever in the state; also a proposition prohibiting the ownership of lands by aliens, excepting where the same are acquired by inheritance, and declaring that all future conveyances to aliens shall be void; also a proposition to the effect that no county, city, or other municipal corporation shall give any subsidy or loan its credit to any corporation or person. Mr. Prosser submitted a clause for the constitution providing that tide lands between the meander line of the United States survey and deep water belong to the state by right of eminent domain, and shall not be sold, but remain

the property of the state forever, subject, however, to be leased for any term not longer than twenty years. Mr. Sharpstein submitted a resolution to the committee on corporations, providing that no corporation shall be created except by general law, except that municipal corporations may be created by special laws; also that the credit of the state shall never be given or loaned to any corporation or person; also that no city or county shall create an indebtedness exceeding four per cent of its last assessment roll; also that no city or county shall loan its credit to any person or corporation except on a vote of two-thirds of the taxpayers at a meeting especially called and held for that purpose; also that monopolies and trusts shall never be allowed and that combinations for controlling transportation shall never be permitted. Mr. Goodman also presented a resolution for the control and regulation of railroad corporations.

The committee on the legislative department, consisting of nine members, was the first to report, and presented to the convention its draft for the legislative department on July 12. The report was considered in the committee of the whole, and a discussion immediately arose over the size of the legislature. Mr. Comegys, of the committee, in reporting the draft, said that his own preference would be for a senate of twenty-five members and a house of fifty, but the committee had made the number thirty and sixty in the hope of amendment, as a sort of compromise, and for one, he did not wish to fix a maximum number. He thought that ninety men were enough to manage the legislative affairs of the state; that large bodies were slow in handling public business, and that on the score of economy, the smaller number was preferable. Mr. Kinnear expressed similar views, and thought it unnecessary to make the house three times as large as the senate. "If," said he, "corporations desire to influence legislation, they invariably attack the smaller branch." Mr. Turner favored an increase in the number of representatives, believing that there would be less chance of corruption by corporate influences. Mr. Warner coincided with Judge Turner as to the size of the legislature, but he opposed the ratio of three to one and would have the two branches near an equality in matter of numbers. Mr. Cosgrov favored seventy as the number for the house. He thought the plan of having two out of three from one party a most fruitful source of trouble, and disapproved of it. Mr. Dunbar said the corporations could obstruct in small bodies, but that would not help them get through pernicious legislation. Washington would have a greater diversity of interest than perhaps any other state in the Union, and all of these multiform interests must be represented. Again a small legislature that could be controlled by reason of the fewness of its members might cost the state millions in the end. Mr. Buchan-

nan suggested that the number be thirty-six in the senate, and seventy-two in the house, but submitted an amendment providing that the number of representatives shall never be less than sixty-four nor more than one hundred, and that the senate shall be composed of not more than fifty nor less than thirty-two members, and the senate shall always have one-half as many members as the house. Sucksdorf moved to substitute that the house consist of fifty-four and the senate of eighteen members. As finally determined in the committee of the whole, the house of representatives shall consist of not less than sixty-three nor more than ninety-nine members. The number of senators shall be not less than one-third nor more than one-half of the number of the house of representatives. The first legislature shall be composed of seventy members of the house of representatives and thirty-five senators. The following propositions were also proposed for the constitution by Mr. Weir: A preamble, bill of rights, and several articles of a proposed constitution made up largely from the draft presented by Hon. W. Lair Hill. Mr. Sucksdorf presented a resolution providing that private business carried on under the auspices of the state shall not be declared unlawful without compensation. Mr. Buchannan presented a resolution providing for a railway commission and defining their duties. Mr. Turner introduced a laborer's and mechanic's lien law, and also laws for protecting life and health in mines. A resolution was also presented providing that it shall be a crime punishable by law for the president or any officer of a bank to receive deposits or create debts after a reasonable knowledge of failing circumstances and such officer shall be personally liable for losses in such cases. In the judiciary committee the discussion of the California judicial system was continued. A division arose over the number of the members of the supreme court, and it was agreed that the number should be increased from three to five. It was also agreed that the smaller counties should be grouped in judicial districts. The committee on state, county and municipal corporations considered the proposition of the county of Walla Walla to subsidize the Hunt railway system for two hundred thousand dollars. Many objections were made to this provision, and it was decided to take no immediate action, but to hear the citizens of Walla Walla on the subject. On July thirteenth many propositions passed to the second reading, but only two propositions attracting outside interest, might be said to be of a local or original nature; first, the one limiting municipal indebtedness. This, as did the matter fixing the number of members of the legislature, gave opportunity for original discussion and suggestion, from which the origin of that clause of the constitution became apparent. The other proposition discussed provided for the

alienation of the tide lands immediately before the cities, and to make them the property of the municipalities. The published notes of the convention show that this proposition was favored by a powerful lobby of tide land jobbers, whose only hope of reward lay in what they could gain from the legislature or municipality, should the constitution fail to make definite disposition of the same. It was shown in the debates that the people of the entire state were interested in keeping the road to and from these lands free from the hands of the speculator and from special tolls.

As soon as the proposition limiting municipal indebtedness became known, a virogous protest was made by the larger cities, and soon thereafter the Seattle Spirit entered into the contest and dominated the convention. Representatives from the Chamber of Commerce and other citizens appeared on the floor of the convention and urged that the limit of indebtedness be raised to ten per cent, and the following petition embodying the views of the city officials and many prominent citizens was presented:

"To the Constitutional Convention of the State of Washington at Olympia now assembled. Your memorialists, the common council of the city of Seattle, respectfully present for the consideration of your honorable body:

"First—That by reason of the great disaster that took place in this city on the sixth day of May, 1889, all of the city wharves, inclines and slips of the city of Seattle, together with all the public buildings, and streets, and approaches to the waterfront of said city were completely destroyed by fire, thus necessitating the rebuilding of all wharves, slips, inclines and approaches to the waterfront, and many of the public streets of said city, together with the municipal buildings thereof.

"Second—That the city of Seattle, with a population of thirty-five thousand people, has a sewer system totally inadequate for the health, comfort and safety of the public, and by reason of the city being destroyed by fire, we are in a position to construct such a system of sewerage as will be of great and lasting benefit to the city and public at large. The system can now be placed throughout the city by laying all the sewers in the city at this time at much less expense, and more convenience to the public, than by laying sewers in different parts of the city on different streets as the public may demand. In view of this fact, it is of great importance to the city that a thorough and complete sewerage system be at once laid throughout the city.

"Third—All of the fire department buildings, jail, city hall, and other municipal buildings were destroyed by fire, which necessitates the

rebuilding of the same at great expense to the city, and it is impossible for the city to transact its business without these much needed improvements.

"Fourth—The destruction of the city was largely due to an insufficient supply of water, and the city has taken measures to prevent similar disasters by submitting a proposition to the legal voters of the city, on July 8, 1889, for the city to own, construct, and operate its own water works. We need only to call your attention to the fact that upon the submission of the question to the public, the citizens, by a vote of fifty-one against to one thousand eight hundred and twenty-four in favor of the proposition, authorized the city to issue bonds to the amount of one million dollars for that purpose.

"Fifth—Under the charter of the city, we are authorized to incur an indebtedness of sixty thousand dollars, for all purposes, which sum is totally inadequate to meet the wants and requirements of the rapidly expanding city. In view of the foregoing, it is of the highest importance to the growing city that the matter of the regulation of the indebtedness of the city be left to the citizens thereof by a popular vote. Recognizing the great hardship that would necessarily be entailed on the city in its now dilapidated condition, should any restraint be placed on its borrowing power, your memorialists respectfully urge upon your honorable body the great importance of allowing the city, by a two-thirds vote at any general or special election, to authorize the expenditure of any sum of money for purely municipal purposes. Respectfully, Mayor and Common Council of the City of Seattle. By C. W. Ferris, Clerk."

In the debate following the introduction of this memorial that the true rule would be to limit the purposes of indebtedness rather than the amount, and, as a result the following provision was added to section six: "Provided, further, that any city or town with such assent may be allowed to become indebted in a larger amount, but not exceeding five percentum addition for supplying such city or town with water, light and sewers, when the same shall be owned and controlled by the municipality." On July 16, the committee on the judiciary reported a complete draft for the constitution following the California judicial system and the form laid down in the draft of a constitution prepared by Mr. Hill. The Hill constitution gave the supreme court revisionary instead of appellate jurisdiction, but the California plan was adopted by the convention, and it may be said that the constitution of the state of California contains the original of our judiciary system. The draft as reported by the committee contained provision for three supreme judges, to hold office for three, five, and seven years, the full term after the first election to be six years. It also provided for eighteen superior judges with a salary of

thirty-six hundred dollars per annum. The convention went into committee of the whole to consider the report of the commitete on judiciary and took up for consideration each article separately. Section 1 was adopted without change. It was proposed to change the term, superior court, to district court, as was the style adopted by the convention of Montana. The change was opposed on the ground that the name would conifict with the district court of the United States. Section two, which provided for three judges, was then taken up, and Mr. Griffiths proposed that the number be increased to five. Mr. Kinnear opposed the resolution on the ground of economy, and believed that five judges were unnecessary. Mr. Stutrevant said that the plea of economy was the only one against having five judges, while it was admitted that after three or four years more would be needed. As for himself, he thought the territory to be like a new ship just being launched and started on her trial trip, and the supreme court was the pilot which was to guide her on her most important voyage, and he considered it to be of the highest importance to have good guidance now. Mr. Turner believed that quality on the bench is of far more importance than quantity, and if the bench were to be filled with weak men or bad men, the more of them there were, the worse off the new state would be, while, on the other hand, if the judges were to be up to the proper standard intellectually and morally, the difference in efficiency between five judges and three would be inappreciable. Only those states that are strongest in wealth and population have more than three judges. He did not take any stock in one-man control, or of corrupt influences affecting the bench, for, since the time of Francis Bacon, the courts, both in England and America, have been remarkably free from corruption, and in spite of much frivolous talk about the dishonesty of attorneys, he declared himself to be proud of the fact that the courts, where judges have been chosen from the ranks of the attorneys, have always been far above corruption. Mr. Buchannan indorsed Mr. Turner's views. He thought there would be very little business to come before the supreme court until the state should have a much larger population, and thought that three judges would have a "soft snap" and that to make the number five would be altogether ridiculous. Mr. Dyer favored the substitute, believing that three judges could not begin to do the work, and stated that even now with three judges the work of the Territorial court was at least six months behind hand. After a long debate along the lines indicated, the substitute fixing the number of judges at five was adopted. A strenuous effort was made by some of the delegates, notably, Mr. Buchannan, against the election of supreme court judges, and he introduced a substitute providing for the

appointment of supreme court judges by the governor. "This," he said, "is perhaps the most important subject that will come before us, and it behooves us to well consider how we lay the foundation of the state. I feel that this is the most solemn duty and hour of my life, and I cannot escape the responsibility of my position. The voice of the people, may be the voice of God. I admit it when it is the deliberate voice of the people, not the voice of the rabble, I wish to get the selection of supreme court judges away from the voice of the rabble. If they are nominated in political conventions, they will be selected for their ability to strengthen the ticket rather than for their legal ability or strength of character. I, therefore, propose that the supreme court judges shall be selected by the governor, and confirmed with the consent of two-thirds of the senate." This substitute was lost by a decided vote. After a lengthy debate and many suggestions the committee of the whole fixed the term of supreme court judges at six years, and their salary at four thousand dollars per annum. The term of the superior court judges was fixed at four years. An effort was made to extend the appellate jurisdiction of the supreme court to all cases, both law and equity, but the proposition was defeated. Mr. Sullivan, of Tacoma, presented a new and original section for the judiciary bill, providing that the superior court judges shall report each year in writing to the supreme court judges, such defects and omissions as their experience observes in the law, and the supreme court judges shall make a like report to the governor, on or before the first day of January of each year, such defects or omissions in the law as they believe to exist. Mr. Power thought that such a proposition was a very peculiar and unique one to put in a constitution. Mr. Turner thought it was an excellent one, and said the Territory had been struggling along with a code full of defects because it had been nobody's business to remedy it, and it was eminently proper for the judges to suggest these defects and remedies from time to time. The section was adopted and incorporated in the constitution as section two. The next question discussed by the commitee of the whole, while considering the judiciary bill, related to minority representation, and an earnest effort was made to obtain it on the amendment by Mr. Griffiths, namely, to strike out all after the words "by lot" and insert, "two shall hold office for the term of three years, and three for the term of five years, and that at each election, each elector shall vote for three of such judges and no more, and at each successive election thereafter, when more than one judge is to be elected, each elector shall vote as follows: if two judges are to be elected no person shall vote for more than one candidate therefor, if three judges are to be elected at such

election, each voter shall vote for two candidates therefor and no more." Mr. Warner said the object of this amendment was to secure the non-political character of the bench which would do much to secure the purity of the courts. Mr. Dunbar opposed the amendment on the ground that it would take away or abridge the rights of citizens to vote. Mr. Brown favored the amendment because he thought it represented a good principle in our government, and it divested the bench of politics so far as an elective office can be divested of politics. Mr. Sullivan was opposed to minority representation, and especially minority representation obtained as proposed by this amendment because it contained an assumption that the court was or would become corrupt. The vote taken shows that the amendment was defeated by the decided vote of twenty-four to forty-three. These debates, resolutions and suggestions show that the convention was not ready to adopt the formal report of committees, without due and careful consideration, and all the resolutions introduced and the debates thereon show a determination on the part of the members to make a constitution advanced and liberal that should reflect the ideas and wishes of the great majority of the people of the state. While the draft of the judiciary committee was accepted in the main, the debates on the minor details and the substitution of one section entirely new and original shows that the provisions were understood and sanctioned by the convention. The composition of the courts and the workings of the judiciary have since demonstrated the wisdom of those who drafted the bill.

The article of the constitution on school and other lands contains much that is original, and the present and coming generations must be deeply grateful to the members of the convention for their wisdom and foresight in providing a foundation upon which our magnificent school systems, with its great revenue rests. Probably the origin of these sections, at least the portion not found in the older constitutions, may be traced to the following resolutions: "Resolved, That the proceeds arising from the sale of school lands be loaned to the State of Washington, and to municipal corporations created by the state for the purpose of funding the indebtedness created by the same, for the erection of buildings, and for such other improvements and purposes as are authorized by law, on bonds running not less than fifteen or more than twenty-five years, and bearing not less than four per cent interest, payable anually." But the followig letter to the committee on state, school, and granted lands, from the territorial board of education, probably contains more of the ideas on the subject as adopted by the convention than were obtained from any other source:

"Olympia, July 11, 1889.

"To the Honorable Committee on State, School, and Granted Lands, of the Constitutional Convention: We, the undersigned, members of the Territorial Board of Education, respectfully ask you to incorporate into your report the following suggestions relative to school lands if they meet your favor, in addition to the Enabling Act. That no school land be sold for less than ten dollars per acre, or leased for a longer term than five years, and that the funds arising therefrom in case of sale or lease shall be an irreducible fund whose interest only shall be used to support the public schools. We would recommend that not more than one-third of these lands be sold in five years, nor more than two-thirds in ten years, and that the time for selling the last one-third be decided after ten years by the legislature, and that such lands as are not sold be subject to lease, and that all lands sold or leased, shall be sold or leased at a duly advertised public auction, in quantities not exceeding one section to any one person or company, provided that the most valuable lands be sold first, and provided further, that any school land situated within a radius of five miles from any incorporated town or city of five thousand inhabitants shall be subject to the following special regulations in addition to those already mentioned, namely, that they shall be subject to special appraisal and where the land is available for town or city lots, it shall be platted into lots or blocks and sold in quantities not exceeding one missioner of schools and public lands, who, with the state auditor, county surveyor, and county superintendent of schools for each county, shall constitute boards for the appraisal and grading of lands; the board of appraisers to have the right to consider the value of timber lands both with block to any one person. These sales to be conducted through a comreference to the land and the timber thereon, and decide whether timber and land be sold separately or together. The proceeds of all of said lands to be invested in school bonds, municipal bonds, county bonds, state bonds, or first farm mortgages, at not less than six per cent interest."

These suggestions were adopted by the committee, and with slight modifications became part of the constitution. There were only slight changes made in the form and wording of the communication of the territorial Board of Education, but it was provided in the committee of the whole that the school fund should never be loaned to private persons or to corporations. The committee on education also provided an original section, defining and enumerating the sources of the common school fund, and providing that losses to the school fund or other state educational funds, which shall be occasioned by defalcation, mismanagement, or fraud of the agents or officers controlling or managing the same, shall, when

audited by the proper authorities of the state, become a permanent funded debt against the state in favor of the party sustaining such loss, upon which not less than six per cent annual interest shall be paid. With this foundation a magnificent and efficient school system has been built up. The sections of land donated for school purposes by the national government have given the western states an advantage over the eastern in educational matters, for there the public lands were disposed of before their great value was realized. Democracy demands free, universal education, and that demand to the fullest extent has been recognized in the state of Washington.

A resolution was introduced for the constitution providing that any citizen shall have a right to sue the state upon any claim or demand, legal or equitable. Many of the states had forbidden, either by constitutional or legislative enactment, the bringing of suits by citizens against the state, a theory that probably arose from the ancient protection accorded to the sovereign, but no longer potent in reason or equity. Some of the states recognizing the injustice of the custom, made provision by statute that the citizen may sue the state; and an act of Congress allows actions by citizens against the United States in certain courts. It was recognized by the convention that if this clause was incorporated in the constitution, that it would insure to the citizen a right not then found in the constitution of any other state, and the convention concluded that the right to bring suit existed without constitutional sanction, and changed the resolution to a clause providing that the legislature should determine in what courts such suits might be brought.

A sharp discussion arose in the convention over the constitutional prohibition of the sale of intoxicating beverages. The committee having the same under consideration reported the petition praying for such prohibition back to the convention, with the recommendation that the prayer thereof be not granted. As the judicial committee had already reported that it was within the power of the convention to submit for ratification, in addition to the constitution, separate propositions to be inserted therein, provided a majority of the electors so decide; therefore the following minority report was submitted: "The undersigned, members of the committee on miscellaneous subjects, schedule, and future amendments, submit for your consieeration the following minority report: 'Whereas, certain petitions and memorials representing many thousands of our citizens, praying for insertion in the constitution of the state of Washington, a clause forever prohibiting, within the limits of the state, the manufacture and sale of alcoholic and malt liquors as a beverage, have been referred to this committee for a report thereon; therefore, believing that the voice of so large

a number of people should receive proper recognition, and realizing the fact that it is the right of the majority to rule, as the underlying principle of free government, we recommend that the following separate proposition be submitted with the constitution for ratification by the people, and be inserted in the constitution should a majority of the electors so decide.: "It shall not be lawful for any individual, company or corporation, within the limits of this state, to manufacture or cause to be manufactured, to sell, offer for sale, or in any way dispose of any alcoholic, malt or spirituous liquors, except for medical or scientific purposes." ' ' This resolution, together with a clause providing for female suffrage, was submitted to a separate vote, at the time of the adoption of the constitution and was defeated. Some of the members received some very interesting, and even threatening letters from the more radical advocates of prohibition and suffrage, but the large majority of the delegates were unwilling to give their consent to a provision in the constitution that they believed would defeat its ratification, and while not opposed to the enactment of either provision as part of the organic law of the state, preferred that it should at first be indorsed by the people.

In the committee of the whole a division of opinion arose on the following clause contained in the original report of the committee on corporations other than municipal: "Each stockholder of a corporation, or joint stock company, shall be individually and personally liable for such portion of all the debts or liabilities contracted or incurred during the time he was a stockholder as the amount of stock or shares owned by him is to the whole amount of stock or shares of the corporation or association. The directors or trustees of corporations or joint stock companies shall be jointly and severally liable to the creditors for all the money embezzled or misappropriated by the officers of said corporation or joint stock company during the time of office of such director or trustee." The object of this resolution was doubtless to discourage the operation of wild cat companies, which had reaped such a great harvest of unjust gain by the incorporation of mining companies. The members of the convention considered this clause fixing the liability of stockholders, who were usually persons ignorant of the management or resources of the company in which they might invest, as unjust. It was also shown that the adoption of this clause would place a burdensome restriction on the organization of corporations in this state, for, with it, no man would care to lend his name to any speculative enterprise, for it fixes a liability on stockholders which no prudent man would think of assuming. It would be practically impossible to get money abroad to develop the resources of the state with this provision in the constitution, and it was

shown that such a law instead of preventing monopolies, would lay the foundation of one of the greatest monopolies with which a state was ever burdened. After a lengthy discussion the committee modified the clause, making the stockholders individually liable for the debts of the corporation only to the extent of their unpaid stock, and as finally adopted is the same as in found in the statutes of many of the Western states.

The Veto Power

Shall the veto power of the governor be sustained, restricted or abolished, was he theme of a long discussion by the members, and arose on a motion of Mr. Powers to require a three-fifths vote of the legislative assembly to pass a measure over the governor's objection. After debating the question for the period of a whole session, the friends of the order prevailed and the usual power of the governor to veto was sustained. The report of the committee on the executive branch of government vested the pardoning power in the governor under such provisions and restrictions as might be prescribed by law, but a substitute resolution was offered in the committee of the whole providing that the pardoning power should be vested in the governor and a board to be styled the governor's council, consisting of the secretary of state, and the attorney general. The fears of usurpation of power contrary to the principles of democratic government was made manifest in the debates on this resolution, and its subsequent defeat on the ground that it would pave the way for the creation of political combinations.

The draft of the article providing for county and city organization follows the ordinary provision of the organic law of other states with few exceptions. It provides for a township organization on a vote of the qualified electors favoring such organizatin. It requires a three-fifths vote to remove a county seat, and cities of over twenty thousand population are given power to frame and adopt a charter of their own. A proposition was submitted calling for an annual grand jury. In this matter Mr. Sullivan seemed to voice the sentiments, as well as the experience of the convention, by remarking: "A grand jury never does anything, and it is of no use to call it." This great inquisitorial body, powerful in ancient law, virtually passed out of existence when it was reduced to seevn in number and made subject to the call of the superior judge.

The convention, in committee of the whole, by a close vote, refused to agree with the committee on military affairs. The first section, declaring for a state militia, passed without a division, but the convention split on the second section, and voted to strike out the eight sections after the first. The objections made to the bill by Judge Turner were as follows

"I feel that we should place in the constitution only those provisions that are fundamental. Is it fundamental that the militia be called the National Guard for all time to come? Are the details of the organization of the militia as set forth in the article fundamental? I challenge the chairman to show me any constitution that contains any such provision. I think this is a step toward military despotism." As a result of these objections the article on the militia was shorn of its objectionable features, and its organization left to the legislature.

The exertme fears of the convention concerning the usurpation of power by the legislature are shown by the remarks of a member along that line. "If," said he, "a stranger from a foreign country were to drop into this convention, he would conclude that we were fighting a great enemy and that this enemy is the legislature."

Fears for the rejection of the constitution by the people, and that they were drifting into a legislative body were expressed by Mr. Weir. "Already," he said, "there is a wail of discontent coming up from all over the state, that the convention is running into all sorts of details and enacting a complete code of laws. If the constitution is finally rejected by the people, it will be because it is too cumbersome and contains too many laws." Mr. Weir cited the remarks of the venerable and distinguished jurist, Judge Thomas M. Cooley, before the North Dakota constitutional convention, where Judge Cooley said: "In your constitution making, remember that times change, that men change, and that new things are invented, new devices, new schemes, new plans, new uses of corporate power, and that such things are going on hereafter for all time, and, if that period should ever come, which we speak of as the millennium, I still expect the same thing will go on there, and even in the milleninium people will be studying ways whereby, by means of corporate power, they can circumvent their neighbors. Don't in your constitution legislate too much. In your constitution you are tying the hands of your people. Do not do that to the extent as to prevent the legislature from performing all purpose that may be within the reach of proper legislation. Leave something for them. Take care to put proper restrictions upon them, but at the same time leave what properly belongs to legislation, to the legislature of the future. You must trust somebody in the future, and it is right and proper that each department of government shall be trusted to perform its legitimate functions." No evidence is stronger, nor can it be made stronger than that found by a comparison of the five constitutions created simultaneously, that the suspicion of the people, that the state officials, legislative, judicial and administrative, cannot be trusted by their constituents, and from this sentiment is coming a revolution that

will speedily overturn the old order of things. The people will insist on the honest, capable administration of public affairs, irrespective of party or the wording of state constitutions. The foundation of this distrust is both political and social. Society is superior to government, and government under fixed constitutions containing the limitations found necessary on all branches of government, has not kept pace with the advanced conditions and demands of society. Existing institutions have not in all cases given the results demanded in an economical and expeditious manner. Party administrations have not been such as to commend themselves to the great mass of citizens. Machine politics in cities and counties has been supreme, holding power by distributing political favors to those who have no meritorious qualifications for positions of trust. The same eager desire for spoils by the appointing power has placed many men in office whose only qualification is that they will strengthen the power of the dominant party. The branches of legislative corruption have been multiform, and the temptation to accept and grant favors will not soon be eradicated. A field for legislative corruption is always open under the present plan of electing United States senators and from this field have arisen causes for popular distrust of legislative bodies.

The form of special legislation in the interest of spoils is curtailed by the provision of the constitution providing that, "In all cases where a general law can be made applicable, no special law shall be enacted." Probably there would be little cause for complaint of corporate corruption of the legislature if provisions like that inserted in the constitution of California, making lobbying a crime, were strictly enforced. But with all conceivable constitutional and legislative restrictions, public officials and legislators will continue to be criticised and censured. So long as human interests are a controlling motive, and human judgment fallible, legislators honestly erring will be accused of corruption. Of this no more appropriate illustration can be found than appears in the debates and discussions of the convention, where twenty-five members whose integrity is unquestioned voted for the incorporation of a principle in the constitution, which all experience and every fundamental right of society demonstrates to be vicious and dishonest; and this in the face of the fact that scores of counties and townships in the country were then seeking to repudiate the obligations formed under the very acts sought to be incorporated into our constitution. This was the Walla Walla proposition for the subsidy for railroad and other transportation companies. This distrust of the formation of government as now constituted is even now taking more definite form through the proposed plan of doing away with the election of state and township officers and adopting the cabinet form

for the government of county and state. This plan has the objection of doing away with popular elections, and is, without question, a step away from the popular idea of democracy, but it might, if tested under proper limitations, secure an economical and business like administration of public affairs.

The Importation of Armed Detectives

Probably no original clause introduced for the constitution is of more importance and more in accord with strict democratic principles than that introduced by Mr. Kinnear, prohibiting the importation of armed bodies of men into the state for the purpose of keeping order. About the time of the meeeting of the convention a business had sprung up in the country of peculiar interest to great corporations. Through the preceding period of strikes and labor agitations and incident rioting, these corporations had sought protection by the employment of armed bodies of men, which afterward became organized and known as Pinkerton detectives. These men, in large and small numbers, were hired out to the corporations to preserve order on their premises and protect their property. They operated for several years without legislative restrictions and eventually became a fruitful source of contention with organized labor, often being a direct cause of rioting and bloodshed. The great objection to these organizations was that they were acting as a body of troops with no responsible head save the person by whom they were organized, and it was generally believed that if troops must be employed, they should consist of state militia or regular soldiers with responsible leaders. These Pinkerton men were hired out to the highest bidder, and the viciousness of this system was too plain for argument. It was shown that the state, and the state alone, should protect its citizens in life and property in the time of disturbance and riot, and that under no consideration should a person or corporation be permitted to call in an armed body of men, owing responsibility only to those who call them. The Cœur d'Alene rioting was cited as an incident of their employment and consequent lawlessness that followed. Mr. Kinnear's resolution was favorably acted upon and became a part of the constitution.

Debate on County Division

Mr. Kinnear moved the following amendment to section three. To strike out, "there shall be no portion stricken from any county unless a majority of the voters living in such territory petition for such division." Mr. Kinnear urged the adoption of the amendment, claiming that the wording of the clause sought to be stricken was so loose that the legislature would be flooded with petitions for the division of any county with which the

smallest fraction of voters were dissatisfied. He thought there should be some general law having in view the interests of the entire territory and the entire county in which the division should be requested. Mr. Durie had two objections to the clause as it stood, the fraction of voters would have the entire say and the rest of the county nothing, and then he objected to the provision about petitions, which were an uncertain indication of the feelings of any partizan of the county. Mr. Comegys thought the amendment harmless, and he considered it very unjust to coerce any section of any county to remain within the county which it desired to leave. Mr. Sullivan thought the clause as introduced, both a limitation and a privilege, a limitation upon the legislature and a privilege to the people. Dr. Minor said: "I am at a loss to understand how this most extraordinary sentence should have been incorporated into the section unless it was for a selfish and vicious purpose. No constitution in any state has such a provision standing alone and unlimited by any conditions. The section seems to have been adopted from the Illinois constitution, with this section designedly interjected into the middle, for purposes that do not appear on the surface. It was done in the interest of one section against another by interested parties. Stripped of its subterfuge, the real meaning of the section narrows down to a contest between two counties, to the attempt of one county to forward its interests at the expense of another." Mr. Sullivan denied the statement that there are no constitutions that contain such a provision as is here sought to be stricken out. The California constitution and the Texas constitution contain such a provision. The object of this clause is to prevent jobbery, and it will thus prevent schemes of lobbying and gerrymandering which have been undertaken so often in the past. "I expect when the gentleman reads over the section again," said Mr. Stiles, chairman of the committee, "he will see the mistake he is committing. I am thoroughly convinced the wording is all right. I do not remember how the section he objects to got there, or who put it there. It is taken, however, from the constitution of California, and there is no furore about it in that state." Mr. Sohns was in favor of the amendment. He condemned the article as it read, and asserted that it was entirely wrong in principle. With it in operation one-sixth of any county could divide the whole country. Mr. Buchannan could not see the danger of leaving the section as reported by the committee. He thought it fair that a majority of the voters of any of the precincts of a county, if they desire it, shall have the right to petition the legislature to add them to any other county. He considered this sentence as simply a limit on the legislature, declaring that it shall not act except in certain cases. Dr. Minor modified his

statement before made, and stated that Maryland, as well as California, had such a provision in her constitution, and that one very similar was contained in the constitution of Arkansas. This amendment was lost and the section was adopted as first reported by the committee.

A plan for a railway commission based on the laws of the state of Iowa, where the relation between the state and railways has been studied as a science, and where practical experience demonstrates that there is no other way to deal with such problems as are constantly arising, was reported for the action of the convention. It has been found impossible to devise any general system of rules for the government of railroads, that will operate as a restraint in those particular cases where restraint is most needed, hence the absolute necessity of a court or commission with ample power, to be constantly in session, ready at all times to deal with emergencies as they may arise.

Shall the Constitution Recognize Deity?

This question led to an extended debate. The discussion arose on the report of the committee on preamble and bill of rights, which made a simple declaration of the purposes of the foundation of the constitution without the customary resolutions in recognition of a Supreme Being. The resolution as first reported was, "We, the people of the State of Washington, to preserve our rights, do ordain this constitution." In committee of the whole, several amendments were at once offered. Mr. Dyer offered an amendment inserting the words, "grateful to Almighty God for the blessings of liberty and self government." Mr. Turner offered a substitute for the original preamble, similar to the preamble of the constitution of the United States. In support of his substitute, Judge Turner said that it was all purely a matter of sentiment, but the sentiment accords with that of ninety-nine out of every hundred citizens of Washington. "We are here to make a constitution for the sovereign people of the state of Washington, and it would be a disregard of their desires to omit a reference to Deity." Mr. Griffiths cited constitutions that do not contain the name of Detiy, and thought it wiser to leave the name out. Mr. Sullivan thought that the report of the committee should be sustained. The committee considered the question carefully before the report was made. The argument made in favor of inserting the name in the constitution as an expression of our gratitude is certainly on a very low basis. Mr. Eshelman declared that the constitution without God would be the forest without verdure, a bed of flowers without buds. Mr. Moore thought it would be setting a bad example before the youth of Washington not to mention Deity in the constitution. "Atheism goes hand in hand with

nihilism and communism, and the latter has its origin in the former." Mr. Tibbetts thought it was all for show. "We are now the laughting stock of this Territory for burdening the constitution with needless provisions." "Is it necessary to go back to the dark ages and copy the example of the people who taught their children to speak and say as little as possible?" Mr. Goodman reiterated the statement that it was merely "a matter of sentiment." If a thousand men asked to have a thing done for sentiment, and one opposed it from principle, he would stand with the man of principle. After an extended debate the following substitute was carried by a vote of fifty-six to eighteen: "We, the people of the State of Washington, grateful to the Supreme Ruler of the Universe for liberties, do ordain this constitution." This substitute seems to have been carried by substituting the words Supreme Ruler of the Universe for the word God, and while other constitutional expressions were referred to in the debates the wording of the preamble is a personal expression of the sentiments of the delegates.

Township and County Subsidies

This was known in the convention at the Walla Walla scheme, because it was advocated by the delegates from the south and eastern parts of the state, for the purpose of relieving them from the burdens of transportation placed upon them by the Oregon Railway and Navigation Company and for securing for that whole section better transportation facilities. It was shown in the convention that many thousands of dollars were annually lost to the people of that section by the unreasonable rapacity of that corporation. A competing company was ready to enter the field, but demanded a subsidy from the people, preliminary to commencing or continuing operations. The matter came before the convention on a majority report of the committee favoring such subsidies, and a minority report opposed to them. Mr. Crowley spoke in favor of the majority report. He thought that the restrictions placed in the article would make such subsidies as Walla Walla desire to give entirely safe. Other townships and counties in the east, that had been ruined by such subsidies, had had no such restrictions placed upon them. Mr. Weir was opposed to the resolution, and thought if the state was prohibited from loaning its credit to individuals and corporations the prohibition should be extended to counties and cities, and named counties in Missouri and Kansas that had been ruined by allowing such subsidies and cited the instances of the interference of the United States court to enforce and collect a judgment obtained against a county for refusal to pay a pledged subsidy. He said that it was wrong to saddle such an enormous load upon

the people of any county. In referring to the Walla Walla scheme, he said a corporation had absolved subscribers to a certain fund if they would work through a scheme on the constitutional convention, legalizing the granting of subsidies to corporations. Mr. Dunbar thought he detected a selfish spirit among those who wished to deny this means of relief to counties suffering from want of communication with the outside world. When they were on the line of a transcontinentl road, and were allowed to get competition with some other railroad, the people of Klickitat county alone would be able to give eighty thousand dollars which would be nearly brought back in one year. Yet there is a theory existing that the principle is wrong, and many would therefore deny this means of securing improvements and the attending benefits. Mr. Griffitts declared that the constitution is for all time and not to tide over the temporary embarrassment of any county, but this principle runs against a greater principle, namely, private property shall never be condemned for the benefit of another private individual. Mr. Buchannan thought that subsidies were neither right, just, nor constitutional. If the constitution permitted a subsidy, any Jack Sharp might come along with a proposition to build a cheese factory, a distillery, or a brewery, and, if two-thirds of the taxpayers so decide, the county may be bonded for that or any other inflated scheme. Self interest and corporate influence would thus have a new field to exploit. Mr. Prosser desired to indorse the measure. He thought the people were entitled to do what they believe would promote the general welfare, whether it was voting a subsidy or any other measure; and that in these matters affecting local conditions and local improvements, they were far more able to determine than was the convention, and he believed the restriction of requiring a two-thirds vote of all the qualified voters would prove an ample safeguard against any scheme to railroad an unjust burden through the county. Mr. Moore thought that the principle that was sought to be engrafted in the constitution was indefensible and vicious from any standpoint. Mr. Warner was greatly surprised that there were any considerable number in the convention that would give their consent to the establishment of a principle so generally recognized as wrong and unjust. Wherever this principle had been tried it had always been found to work a hardship. Official corruption had invariably been charged in the passage of the law granting the subsidy, and following it have been many discreditable attempts at repudiation, followed with the interference with the operation of the state courts by federal authority, and the forcible collection of the tax money voted for the subsidy. Dr. Blalock failed to see the viciousness of such a proposition. So far as he was advised, none of the states mentioned had the restric-

tions contained in the report of the majority. It would be impossible with this restriction to control the election by jobbery, undue influence or the lavish use of money for a proposition not in the interest of the public at large. Mr. Browne closed the debate against the majority report. He denounced the system as the most corrupt of any influence under the sun. Another evil was that the communities would be set to bidding against each other for the purpose of securing railroads, and if the proposition carried not another mile of railroad would be built in the state without a subsidy. The motion to adopt the majority report was lost by a vote of twenty-seven to forty-two, and the minority report, which was identical with a provision of the proposed constitution of 1878, was adopted by a vote of forty-eight to twenty-four.

Corrupt Solicitation

The origin of this section, number 30, of the Article on the Legislative Department clearly appears in the debate that preceded its adoption. The debate alone shows the fear that the convention entertained of possible legislative corruption, and the idea was developed that there might be more danger from personal interests in the form of "log rolling" than from outside attempts to bribe. Mr. Dunbar moved to strike out the whole section dealing with the offense of corrupt solicitation. Mr. Moore wished to know why the section should be stricken out. He said it was from the Pennsylvania constitution, and, supplemented by proper legislation, had become a very effective provision in that state. Mr. Stiles favored the retention of the section, and stated that as incorporated in the proposed constitution, it is the work of the great jurist, Judge Black. The motion to strike out was lost by a vote of twenty-four to twenty-nine.

Alien Ownership of Land

A discussion arose over this proposition on Mr. Sullivan's motion to strike out the whole section. He declared that the proposed restriction was a step backward, one hundred years. Mr. Suksdorf supported the motion, claiming that there was nothing to be feared in this country from foreign land owners. Mr. Griffitts read an extract from the American Citizen showing that thirty foreign landlords own twenty million acres of land in the United States. Mr. Moore said this was a truly American idea, and advocated the holding of American lands by Americans. The motion to strike out the section was lost by a vote of thirteen to thirty-six. And the legislative article being complete was adopted by a vote of forty-two to twelve.

Article XXVIII., called the Schedule, was adopted with little

discussion, and was taken from the proposed constitution of 1878 to which few additions and unimportant changes were made.

The convention adjourned on August 23, having been in session fifty days, and one of the very last articles passed was that declaring in favor of the state ownership of tide lands.

During the session of the convention, every interest was given leave to present its views, and every point of contest was gone over fully and intelligently. It was found to be a much more difficult task to make a constitution than it would have been fifty years previous, for many new and conflicting questions were before the convention. If there were mistakes, and time has not demonstrated that there were any of a serious nature, they may be said to be:

First, in the failure to positively define the policy of the state in the matter of the tide lands, instead of leaving all of the details to the legislature.

Second, the positive constitutional enactment against the holding of landed property by aliens.

Third, a failure to provide a practical plan for the control of railroads and transportation companies. But far more serious than any defects of the constitution has been the failure of the legislature to provide laws giving force to constitutional provisions and details of which were left to legislative enactment.

This constitution is the last complete expression of republican government, guaranteed by organic law, and, in conclusion, it may be well to inquire what is meant by the constitutional guarantee to the states of that form of government. The sovereign states of the Union constitute a nation bound together by the indissoluble ties of common interest, common purpose, and common language, and permeated with the indomitable spirit of patriotism, progress, and righteousness. Here is demonstrated the unity and strength of republican government, the government of the people, by the people, and for the people. Absorbed in the pursuits of personal interests, the people have been criticised for indifference in the exercise of their political rights, and in times of general prosperity they let pass unheeded the cry of the pessimist and demagogue; but, as has been often demonstrated in the great crises of our history, at the first approach of real danger, great strength, vigor and energy are manifest. If the national interest slumbers, we know it is not the slumber of weakness or decay, but for the conservation of greater energy. With this nation, in time of danger, an enlightened, individual public opinion supports, encourages and sustains the government. This is the American spirit, demonstrated in war as well as in peace, and this force is efficient because

of the sovereignty of the people, and because they believe in the integrity of the government which they have created, and which is but a reflection of their own righteous wills.

Just what is meant by the Republican form of government guaranteed by the federal constitution is not clear. It was surely not pure democracy. The history and experience of the past gave the framers of the federal constitution little ground for faith in the stability and security of unlimited democracy. The framers of the constitution met, primarily, to form a more perfect union, but also to establish justice, provide for the general welfare, and to secure the blessings of liberty to all. They desired neither the arrogance of imperial despotism, nor aristocracy, nor an irresponsible pure democracy. They desired to present to the whole people the greatest possible measure of liberty and security, and this they believed could be done only by distributing the powers of government, with mutual balances, making each a check upon the other. The Republican form of government mentioned did not contemplate the entry upon a period of untested or irresponsible vagaries of government by the colonial states. All of these states had well planned Republican forms of government when the constitution was adopted, and the people participated in these governments by their representatives. The governments of all the colonies were administered through three distinct departments, and these the federal government did not seek to modify or change. It may, therefore, be assumed that these are the Republican forms of government which the constitution guarantees, and which it becomes the duty of the states to provide. We need to be but little exercised as to the outward constitutional forms of democracy in this country. Liberty and democracy will always thrive on Anglo-American soil. It will always insist on the sovereignty of the people and that governments shall exist solely to promote their happiness and welfare, and it will eventually insist on an expeditious, honest, and business like administration of its government. We must measure the growth of democracy by the manifestations of its spirit. It must be placed upon a firmer foundation than naked authority. It must always recognize and promote justice and righteousness. If, under our government, we find there is a deep-seated determination and purpose to deal justly with all, to beat our swords into pruning hooks, to make the desert to bloom and bring forth fruit, to restrain our selfish desires for the public good, to recognize the divinity of labor, to deal kindly with the erring and unfortunate—in fact to make the earth the Kingdom of the Lord and His righteousness, we may be sure that the spirit of true democracy is performing her perfect work in our midst.

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LEBBEUS J. KNAPP.

NOTES ON THE CONSTITUTIONAL CONVENTION*

The first step in forming a State Government for Washington, framing and adopting a written constitution, was taken by a convention chosen by the people of the whole territory, for which it was to be framed.

The convention assembled at Olympia, July 4, 1889. Each county was allowed a number of delegates, the ratio being in proportion to population; by these delegates a constitution suitable to the requirements of the territory was carefully prepared, and was then ratified by the convention, published, and the people called upon to vote for or against it.

The members were all representative men of the several districts, able and sincere, and devoted to their arduous work. There were few matters of a local condition before the body; only matters of general application, equally applicable to all sections of the new state, and it was not difficult to declare the principle to apply to all sections of the state. Hence there was no trading or need of it.

Any constitution they might adopt must be subordinate to the Federal Union and conform to the laws of Congress. Subject to the above, our constitution declared the principles of government in its Bill of Rights; designates who may vote at popular elections; provides for a legislature and declares its powers; provides for the election of a Governor and Lieutenant Governor and fixes their power and duties; creates certain courts or empowers the legislature to do so; provides for the public educational interests of the commonwealth in detail; also for the orgnaization of the militia, and for a revenue. In fact, it either fixes every detail of the machinery of the state government or gives the legislature power so to do. It declares the principle controlling the disposal of all the shore lands of the new state, about which so much controversy and uncertainty existed among the able lawyers of that time, for it was believed and contended that the upland owners owned down to deep water; whereas the convention declared that the upland ownership extended only to ordinary high tide and that the future state would own the balance. In speaking of the character and complexion of the convention, it has been fittingly said: "The enabling act of congress provided for the election of seventy-five delegates to draw up a constitution for the new state of Washington, and provision was made to permit of representation from

*This was written for Mr. Knapp and was made Appendix 1 of his thesis published in this issue. Mr. Kinnear was a member of the Constitutional Convention and was Chairman of the Committee on Corporations other than Municipal.

all parties, in that, while three members were to represent each district, only two of them were permitted to be of the same party. The convention as elected was composed of forty-two Republicans, twenty-nine Democrats and three Independents. They met at Olympia July 4, 1889, and for fifty-three days were in deliberation before their task was completed. John P. Hoyt, now of Seatlte, was the presiding officer, and John I. Booge, of Spokane, acted as secretary. October 1 of the same year the constitution was voted on by the people and approvd by a vote of 40,152 to 11,789, and November 11 President Harrison approved of the admission of the new state to the Union.

"The convention at Olympia was regarded as one of the most noteworthy bodies of men that ever gathered in public on the Pacific Coast. Many were wealthy and all had shown eminence in their respective callings. Vigorous and forceful, they attacked their work with all the energy which characterized their behavior in private life. With an average of only fifty-five years, they combined the wisdom of age and experience with the force and directness of youth.

"By breeding and experience that body of men was fitted exceptionally well for the task before it. There was represented the best blood of the new world, from every rank of life, men who had served in the legislaturs of Northern, Southern and Middle Wesetrn States, and had followed their bent to the Coast. There were Scotchmen, Englishmen, Irishmen and Germans, born among monarchial surroundings and wise in the old world laws; and there were Canadians versed in the procedure of colonial government.

"Almost every walk of life was represented in the convention at Olympia. Twenty-one lawyers were in the body, and six physicians, three teachers and one preacher added to the professional equipment. The agricultural interests of the state were protected by thirteen farmers, four stock men and two hop growers. Finance and business had for their sponsors five bankers and six lumbermen; the mineral industry a mining engineer. Of the remainder, there were editors and surveyors, real estate dealers and others, all conversant with the resources of the future state and the necessities of the people who were seeking state government. Of all the number only one was a native born citizen of the Puget Sound country, so that, with this exception, each member of the convention could draw on his expeirence elsewhere to decide on what was best to retain or omit."

This was a non-partizan convention and politics at no time dominated or appeared in the discussions. Its members were broad-minded and far-seeing, and constantly kept before it the constitutions of all the

states and drew from each the newest and the best, with the result that it presented to the people of the state of Washington an organic act as good if not better than the best of them all. Time has proven and time will prove its superior excellence, and its intrinsic strength, sufficient to build upon for many years to come. In it the declaration of the right principles will be ever present. The fear is it will not be followed by the officers of the state legislature. Explanations foreign to the express meaning may wipe it away or render its declaration of principles worthless. If the people would be bound by wholesome rules of government they must follow its provisions closely. It seems to me the constitutions most drawn from by the convention were, in the order given: Illinois, California, Indiana, Michigan, Pennsylvania, New York, Georgia, Kentucky, with all the others in liberal use.

There were stenographic notes taken of the proceedings of the convention, but were never published. They should be for the use of lawyers and courts and all others interested, for, in the rendition of judgments, the bare reading of the words of the constitution gives rise to divided opinions as to the actual meaning contained therein, and, in instances of the kind, it is always the practice of the legal profession to procure information of the intent of the framers of the constitution. To the average lay mind the importance of securing at first hand the "intent" of the constitutional convention may not appear of so much importance, but every lawyer in the state will appreciate the value it will be to the courts. Outside of this, however, the general public would be interested in learning the influence brought to bear on us in forming the different sections. While of no legal value, these would be eloquent with information showing the character of the men of the convention. We all read with interest the personal reminiscences of men now long dead, but who at some time or other of their lives were connected with some great legislative or political movement. The little sidelights thrown upon such subjects by their writings convey to us a vivid picture of the things which led up to the events and help us to understand as no other means could the significance of their actions. Surely there has not been a deliberative body in the state or territory of Washington whose work was of such importnace to the people as the constitutional convention, and I think it would be almost criminal, if, when we have the living material at hand, we should fail in this duty of recording completely and in sequence the labors of the convention and the discussions and findings of the committees.

Every member of the convention should be called upon to compile with all the minuteness at his command the part he took in framing the constitution, his reasons for supporting or opposing certain portions of the

constitution which were passed and the details of those which were suggested and rejected. Each member would probably have a different perspective and perhaps a different viewpoint, but the assembled expressions would give body to a volume that would form healthy and instructive reading.

The principles laid down in the constitution are plain divine justice. They were never bettered and never will be, so long as the sun comes up in the morning, but still they are often subordinated or misconstrued for personal greed or private ends, although the organic act was intended to protect man's sacred rights from the greed and rapacity of trusted servants.

From this declaration of the conditions and limitations on the principles and powers given and the care then taken to prevent abuse thereof by those in power, the constitution was amplified and partook somewhat of a legislative character, which, however, is common to all recent constitutions. Desiring to prevent public bodies and officers from the abuse of power, the people are ever jealous and suspicious of the abuse of privilege, and well they may be.

The Preamble

The Preamble to the constitution had been adopted in the usual form with the "God" in it, and an adjournment taken over Sunday. During the recess an unexpected and vigorous opposition had been stirred up, insomuch that a motion was made on convening of the convention to eliminate "God" from that instrument. After much earnest debate the motion to strike was put and carried and the word "God" stricken out. Efforts were made at different times to reinstate, but the opposition continued strong and the motion to reinstate wast lost. The opposition claimed that the terrible cruelties of the Inquisition, as carried on in the name of God, and reported by Motley in the Dutch Republic, had never been resented as they should be, and to the extent of their influence should be on this occasion. The earnestness of the contest reminded me of my college days at Knox, where there was much controversy among the various churches. It was during that time Henry Ward Beecher often came to Galesburgh, Ill., to visit his brother and lecture to the students at Knox. On one occasion, referring to the church disagreement, he drew a circle on the blackboard with a dot on the circumference representing each church, and a dot in the center called "heaven," saying that as each of the churches were of equal distances from heaven, the central point, he believed that all good persons in the various churches would be saved in heaven, though on different roads, but leading to the same place.

This idea of Beecher's was certainly humane and gentle, and appreciated by the people as tending to allay this trouble and bring them together in harmony. This made him the "famed of all men of his times" and the most noted preacher of that or this century. And in all time there has been but one preacher greater than he, not so erudite, but greater and more loving to all men. From the "mount" this other preacher gazed down into the faces of the throng, and speaking to them personally in all sincerity said to them: "When thou prayest enter into thy closet, and when thou hast shut the door, pray to thy Father which is in secret, and thy Father which seeth in secret shall reward thee openly." This was sunshine that lent hope to all men and allayed their troubles materially. After the adoption of the constitution the controversy hushed, and for twenty years remained so. The people united to create a great state, perhaps the greatest of them all, and seeming to say, a busy, well regulate life "square as a square of steel," is the best sacrifice to the Infinite.

So long as the people shall live close to and be watchful of this constitution, and change their servants often, they may live long in their chosen land, and see it grow great and favored in the land. If, therefore, we, the framers of this constitution, have succeeded in eliminating from our institutions whatever in the past ages and times was derogatory to the full and free enjoyment of our natural rights and privileges and if we have succeeded in incorporating into our civil polity the most valuable products of the experience, as well as thought of former times, we may well abide in the assurance that our government does not rest upon the uncertain foundation of an untried experiment.

Of those members who have passed away to the land of the Infinite, we surviving ones may well repeat the sad words:

"When I remember all
  The friends so linked together,
I've seen around me fall
  Like leaves in wintry weather,
I feel like one, who treads alone
  Some banquet hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he departed."

JOHN R. KINNEAR.

THE CONSTITUTION OF THE STATE AND ITS EFFECTS UPON PUBLIC INTERESTS*

The feature of the constitution of Washington which was most frequently criticised at the time of its adoption was its length, but time and experience has shown that its principal fault is that it is really not long enough.

The American people have become so used to living under written constitutions that a sort of constitutional common law has come to exist, which enforces an unconscious uniformity in the substantial provisions of all them.

Each state is under obligation to its people to afford them republican form of government, and our ideas of such an institution are so fixed by usage and judicial interpretation that the constitution of each new state, in all the essentials, is but a copy of some older one.

Certain questions, as, for instance, the right of the people to take or injure property of individuals only upon making compensation therefor, the imperative necessity of guaranteeing the absolute secrecy of the ballot, the evils attending the public contributions to the building of railroads, and others, became so well settled in the public mind many years ago, that the people in remodeling old constitutions and in enacting new ones, insisted upon withdrawing them from possible legislative disturbances.

There is no reason why firmly settled principles or policies of government should not be expressed in written and unalterable law, even if the expression of them requires more words than were used in an older constitution. The Constitution of the United States and the constitutions of many of the older states were framed by men who had the benefit of sufficient experience or sufficient foresight to anticipate what the demands of the future would be. Yet it required twelve amendments to the federal constitution to put that instrument into satisfactory operation.

The constitution of Washington, therefore, contained little that was new, or that was not, in substance, expressed in some preceding document of like character or, at any rate, in well considered and long enacted legislation. The difficulty which most greatly embarrassed the convention, as it turns out, was in expressing definitely and certainly the meaning of many of the important acts framed and proposed by it. I doubt whether a majority of the people of the state would think it worth while

*This article appears as Appendix 2 of Mr. Knapp's thesis published in this issue. Mr. Stiles was a member of the Constitutional Convention and was later elected a Justice of the first Supreme Court of the State.

to change the plan and scope of their constitution, though they might desire to state more clearly some of its provisions, and thereby cause the course of interpertation to be changed or reversed. In its operation upon the executive, and especially upon the legislative branches of the state government, the constitution is an instrument of limitation, and both of these departments have been pressed hard upon, and as many people believe, over, the lines laid down by their fundamental law, without being checked by the judicial department, which is always slow to exercise control over a coordinate branch of government, unless compelled to do so by unmistakably binding statute. A few more words or some different words, had they been employed by the constitution, would, in every instance which now occurs to me, have served to express a meaning which would have been more satisfactory to the people, and which, I am convinced, was the understanding and intention of that body.

But the convention did its best. It worked honestly and earnestly to accomplish, in the short time allotted to it, the highest good to the incoming state. There were no cranks, and very few politicians in it, and I verily believe that in no body of like character has politics been more completely subservient to the public welfare. Its weakness was that it had to be chosen from the common people of the territory, who were not numerous, and who had not had the training in schools of the lucid and comprehensive statement. Its members had ideas enough, and they knew well what they wanted, but when it came to setting it down in precise and unmistakable language, they lacked the necessary experience. More things were taken for granted or left to implication than should have been, as the sequel proves.

One instance of oversight of this kind may be mentioned for illustration. Section 22 of the second article declares that no bill shall become a law unless on its final passage the vote is taken by yeas and nays and a majority of the members elected to each house be recorded as voting in its favor. Yet section 22 is practically a dead letter, and not a session of the legislature has been had where numerous bills did not go through and become law, without even a substantial compliance with this requirement, and the practice will continue simply because the constitution provides no way by which the question of the actual passage of a bill may be tested, the supreme court holding that there can be no inquiry into the history of a law beyond the enrolled bill.

Section 16 of the first article on the subject of compensation of property taken for the use of the public was a very clear proposition, until a member who thought that municipal corporations should be allowed to take possession of lands condemned for streets as soon as the damages

had been ascertained without actual payment into the court caused the words "other than municipal" to be inserted in it by amendment. The convention was satisfied to adopt the suggestion, but the only result of the amendment was to bring on a conflict between the property owners and the cities, in which the latter were worsted, because the words above quoted, in the place where they were found, did not have force enough to overcome the flat declaration contained elsewhere in the same section, that no private property should be taken until compensation had first been made or paid into court for the owner. The ablest man in the convention proposed the amendment, and no one was more surprised than himself at the outcome of it. A few words more or perhaps the same words set in a different place, might have made the exception intended clear, instead of merely confusing the whole section.

Among the meritorious provisions of our constitution which had any degree of novelty at all, I pronounce the judicial system first. Not many of the states have constitutional courts, and still fewer of them have undertaken to define the jurisdiction of their courts by the higher law. We have an appellate court, with a slight measure of original jurisdiction, whose powers are broad and universal for the correction of all errors of the inferior courts, and yet whose interference stops at the line where cases are small and concern mere questions of money. No legislative whim can ditsurb or destroy the steady course of judicial decision. The judges are numerous enough to secure the deliberate investigation, and the length of term and rotation of office are well adapted to secure the dignified but not servile response to the popular will.

Every county has its superior court with almost universal original jurisdiction and with judges enough to keep abreast of the business. The hard times and great unexpected falling off of all commercial enterprises caused some of us to say that we had more courts than we needed, but it is noticeable that no county has yet voluntarily offered to surrender the advantage it has in having a court always open at the service of its citizens. There is less complaint in Washington than in any other state in the Union growing out of crowded calendars and delays in the administration of justice. Such complaints as justly exist here are due to the forms of practice prescribed by the statutes, and not to the courts or the system under which they exist.

In the matter of the elective franchise Washington took an advanced position. None but citizens of the United States can vote; the ballot must be absolutely secret, and registration is compulsory, in all but purely rural communities, where everybody is known. The consequence of these

provisions has been that election scandals are almost unknown here, and there is nowhere a more independent body of voters.

By prescribing limitations to the power of creating public indebtedness and restricting the objects for which indebtedness might be created the constitution has doubtless served a valuable purpose. Its framers certainly expected that it would be more literally construed, than it has been; but the peculiar exigencies of the times have caused the provisions on this subject to be more hardly pressed than any others. Unfortunately there was no definition of indebtedness in the constitution and the legislature has never supplied the deficiency. Reckless assessments in the earlier years deceived the people and encouraged them to extravagance; and when the borrowed money was spent there were presented two miserable alternatives of repudiation or stoppage of government unless the letter of the law could be made to give way in some measure to its supposable spirit.

No other state has placed the common school on so high a pedestal. One who carefully reads Article IX. might also wonder whether, after giving to the school fund all that is here required to be given, anything would be left for other purposes. But the convention was familiar with the history of school funds in the older states, and the attempt was made to avoid the possibility of repeating the tale of dissipation and utter loss. At the minimum rate at which school lands can be sold, the state will, sometime, have an irreducible fund for its common schools of more than $25,000,000, an endowment greater than that of any other educational system now existing.

In a few of its features, mostly original ones, the constitution has, in my judgment, not worked well. It was a good thing to do away with the old plan of granting special charters to cities and towns by special act of the legislature. Two hundred and eighty-six pages of the laws of 1896 were taken up with enactments of this kind, which, it was notorious, were passed without any consideration of the legislature; and, doubtless, by this time that record would have been distanced but for the prohibition contained in Article IX. But the concession which followed, that cities of 20,000 inhabitants and upwards might make their own charters, was a melancholy mistake. It has cost the cities capable of availing themselves of this privilege more than $50,000 to get themselves under the provision of their present charters and there is scarcely an important provision in any of them that does not require an opinion of the supreme court to determine whether it is not in conflict with the "general law" before it can be enforced. This is one of the few instances where special interests got control of the convention. The county members did

not care to oppose their city brethren, and the latter, spurred by their ambitious constituents at home, really thought that nothing the legislature ever would, or could do, would be large enough to meet the requirements of the growing metropolises. The committee report on this subject favored 75,000 as the minimum population, but the convention got hold of it and ran the figures down by successive amendments to 1,500, where a halt was called by killing the whole proposition. It would have been well if it had remained in that condition, but a compromise was effected, a reconsideration had, and the result is the article named.

Article XV. has been a failure and probably always will be. It was an attempt to legislate about a subject upon which the convention had little or no information, and one, the treatment of which, must necessarily depend upon the circumstances of each particular case. Harbors are built and maintained for the benefit of commerce, and the contour of the land and the depth of water where it is proposed to establish a harbor necessarily determine the best form for its construction. There may be some places on the face of the earth, or even within the state of Washington, where an arbitrary fixed line laid out on navigable waters, with a 600-foot reserved area behind it, will serve as a safe plan for a harbor, but there are not many such. Commerce has not yet felt the effects of this article, because it has not been put into operation beyond the wholesale selling out of tideflats, and because the surveys have been so made, in most instances, that vessels do not use the harbor areas at all.

The article on impeachments is inadequate, and every attempt to follow it has proved to be a farce. The legislature has not the time, in the course of its short sessions, to lay aside its other business and attend to the details of a trial; besides, partizanship is always too rife in such bodies to enable them to act with the judicial fairness which ought to characterize such a proceeding.

The constitution ought to have destroyed the warrant system as a means of paying public obligations. The public ought to pay money to its creditors whenever their demands are due and, if necessary, it ought to borrow the money outright from those who have it to lend, instead of putting off claimants with paper redeemable at no fixed time, and at extravagant rates of interest. This state need never have been paid more than four per cent for all the money required, and the counties and cities would have done nearly as well, if all had been on a cash basis. What sort of credit would a business man have who paid for his goods only in non-negotiable notes not due until he got the money? The cash system would have checked extravagance; it would have lowered the price of supplies, and it would have prevented the loss of hundreds of

thousands of dollars in broken banks, and, perhaps, saved the banks themselves from insolvency.

There have been some excellent provisions in the constitution from which the people have had no benefit, because they depend for operation upon action by the legislature, and that body has neglected to do its duty in the premises. Considering that by section 29 of the first article every direction contained in the constitution is mandatory unless expressly declared to be otherwise, it is at least surprising that in some instances no attempt has been made whatever to set these provisions at their legitimate work. The first of these provisions which occurs is that contained in section 30, Article II., where it was prescribed that the offense of corrupt solicitation of members of the legislature and other public officers should be defined by law and appropriately punished, and witnesses were denied the privilege of refusing to testify to matters incriminating themselves. Several cases have occurred where lack of legislation on this subject has been severely felt in cases arising within the legislature itself.

Section 18, Article XII., requires the passage of laws establishing a reasonable rate for the transportation of freight and passengers by all common carriers, and no honest effort has been made to give the public the relief provided for. All that has been done for the benefit of a single interest, and applies only to certain classes of freight.

I am sure the author of section 22, Article XII., never thought that many legislatures would come and go without the introduction of a single bill to carry out his prohibitions against monopolies and trusts; yet the section ends with these words, "The legislature shall pass laws for the enforcement of this section." Just what must be the form of the laws necessary in this instance is more than I know; but I believe we are suffering from the want of them. With almost everything in the way of raw materials at our hands, we manufacture almost nothing that can be shipped from the great trust neighborhoods, because our business men dare not undertake manufacturing for fear of being crushed by the foreign octopi. There should be at least an investigation to see what effect these combinations, unlawful everywhere, are having upon our prosperity, and, if it is true that they are preying on our very vitals, whatever may be done under the section mentioned should be done with the utmost vigor.

Through obvious neglect in not prescribing regulations supplementary to Article XIII., the legislature has allowed the provisions of that article to have no practical force, so far as the appointment of boards for the control of the public institutions of the state is concerned. The senate does not, in practice, concur in the appointment of any of these officials, but

the whole matter is left to the discretion of the governor, who appoints and removes them at his pleasure. From the system into which we have fallen it results that there is not an independent appointive officer in the state, whose continuation in office is certain even for a day.

Wherever our constitution is self-executing, it has been found in the main satisfactory, but these portions which require to be supplemented by statute have met with little intelligent interpretation and much neglect. It deserves to be given a full trial and when it arrives at that state I believe it will be found to be an efficient guiding instrument, unnecessary to be materially altered for years to come.

THEODORE L. STILES.

DOCUMENTS

The following letters show the uncertainty existing as to the Territorial Government's rights over certain lands occupied by Indians with whom no treaties had been made. The dates are less than five years after the close of the Indian wars throughout the Territory and no doubt there was still need of much caution. The letters are among the manuscripts rescued from the garret of the old Territorial Capitol.

Letter From Captain Maloney

Fort Chehalis, Grays Harbor, W. T., February 21, 1861.

Gov. McGill

Sir:

I have the honor to request to know If commissioners have a right to grant Lesince to sell liquors in this part of the Territory, it being still Indian country. The Gov says so in his message My reason for asking the Gov. There are some white men here who are constantly introducing Liquor and sell it to the Indians but are very careful of being caught I am endeavoring to put a stop to it and have pretty much done it There is one man here of the name of Williams who is going to Olympia to obtain a Lesince and if granted it will Defy the Military Commander of doing his duty in putting a stop to this Traffic. it should never be allowed to be sold in this part of the country and until the Indian titles to their Lands are relinquished. Will the Gov give me his views on the Subject.

I am Sir Resptfully

Your obedient svnt

M. MALONEY

Capt 4 Infy

Comy. Fort

Reply From Acting Governor McGill

Territory of Washington

Executive Office

Olympia, March 2, 1861.

Sir:

I have to acknowledge the receipt of your communication of the 21st. ulto. requiring my opinion as to the right of the County Commissioners to grant licenses for the sale of spirituous liquors in that part of the Territory west of the Cascade Mountains, in which the Indian title has not yet been extinguished.

Although no provision has yet been made for the extinguishment of the Indian title to the lands occupied by the Cowlitz, Chehalis, Grays Harbor, Shoalwater Bay and Chenook Indians, yet by the Organic act, and the laws of Congress regulating the sale and disposition of the public lands, this country has been opened up to settlement, and the citizens residing therein are entitled to all the privileges accorded to those of any other portion of the Territory. I do not therefore consider this country as Indian country, within the meaning of the 20th. Section of the act of 1834.

While therefore I am of opinion that the proper county authorities can legally issue licenses for the sale of liquors in that portion of the Territory over which the Indian title Still exists, yet great care Should be exercised in granting this privilege. The preservation of peace among the Indians, and the safety of the citizens demand that before the issue of a license, the Commissionrs should be satisfied beyond a doubt that the character of the party applying for such license is such that he will not directly or indirectly Sell or dispose of liquor to Indians under any circumstances or to Soldiers without the written permission of their commanding officer.

Upon a departure from this course it will then be lawful for any person in the service of the United States to take and destroy any ardent spirits found in the country over which the Indian title still exists, and to institute legal proceedings against the vendors of such liquors

Should you deem it proper, I will, upon being So advised address the County Commissioners upon this subject.

I have the honor to be Captain
Very respectfully
Your Obt. Servant
HENRY M. McGILL
Acting Governor

Captain M. Maloney
4th Infantry U. S. Army
Commanding
Fort Chehalis
Grays Harbor
W. T.

BOOK REVIEWS

THE NORTH AMERICAN INDIAN. By Edward S. Curtis. (Published by the author in twenty volumes and twenty portfolios. Vol. IX., 1913. Pp. 227. $3,000.00 set.)

The people of the State of Washington and especially of the City of Seattle (the author's home city) count it a literary event of the first magnitude whenever a new volume and portfolio of this monumental work by Edward S. Curtis appear. The present volume is particularly interesting to readers in the Pacific Northwest because it deals with the Indians of this section. Like the other eight volumes and portfolios that have appeared before, Volume IX. and its companion portfolio are published in that perfection of the printer's and binder's arts and they carry such an abundance of the author's really wonderful and artistic Indian photographs that words of sufficient praise seem impossible.

The scope of the ethnological work in the volume may be seen from this opening paragraph:

"With a few exceptions, the entire territory west of the Cascade Mountains from the Columbia River northward almost to the fiftieth parallel was inhabited by a multitude of tribes more or less closely related, but all speaking dialects of a common language—the Salishan. In the interior this stock extends even beyond the fifty-second parallel in British Columbia, and occupies a large portion of eastern Washington, northern Idaho, and western Montana. It is therefore one of the most widespread and most numerous families of North American Indians."

The exceptions referred to are explained in this footnote:

"These exceptions are: the Chinookan tribes on the Columbia; the Willapa at the head of Chehalis river and on the upper course of Willapa river; the Quilliute on the ocean coast at the mouth of the Quillayute river and the linguistically related Chimakum on the Strait of Juan de Fuca in the neighborhood of Port Angeles, Washington; the Makah at Cape Flattery, and the cognate Nootkan tribes on the west coast of Vancouver Island. The Bellacoola, a Salish group inhabiting Dean inlet, British Columbia, will be considered in a future volume."

Besides historical material about the various tribes, the letter-press carries a wealth of hitherto unpublished ethnology in the form of myths, legends, and music. And then there are the illustrations. The volume contains seventy-five of these justly famous Curtis Indian pictures. The

portfolio contains thirty-six larger pictures. All are beautifully printed and, of course, they are all carefully selected to illumine the work in the volume. Two or three of the larger pictures, such as "The Clam Digger" and "The Mussel Gatherer," were almost enough in themselves to make Mr. Curtis famous. They were about the first Indian pictures he made and have become well known everywhere.

It is well known that the field work of this great enterprise was in part financed by the late J. Pierpont Morgan. In this volume the author pays a tender tribute to that friend, including these hopeful words: "The effort from now until the final volume is written will be for work so strong that there will be an ever increasing regret that he could not have remained with us until that day when the last chapter is finished."

It is evident from the foregoing that the present reviewer is enthusiastic over Mr. Curtis and his great work. Indeed he counts it a privilege to have cooperated on a number of occasions, including a part of one season in the field. However, the readers of this Quarterly are entitled to his perfect frankness especially in a matter of historical values.

On page 18, Mr. Curtis says: "As a direct result of Governor Stevens' treaty with the interior Columbia River tribes at Walla Walla, war broke out, the first act being the assassination of three miners by members of the Kittitas tribe, a Salish group near the head of the Yakima river" This emphatic sentence is one of several which tend to show that the author has approached a controverted period of history with much less sympathy and appreciation for the white man's problems than for the Indians' grievances. There certainly are two sides to the story. Mr. Curtis has not ignored either side, but in numerous ways he has shown what seems an unfair basis. In a footnote for the above sentence, he says: "For the details of the war in the interior and the events leading up to it, see Volume VII., pages 14-34."

In those eleven pages he makes but little use of the military reports of the day and from the field, though he uses plentifully the memory of surviving Indians. The possible faultiness of such remembered evidence or the downright treachery of the Indians, even towards each other, is shown by Mr. Curtis's quotation on pages 27-28 of Volume VII. where Chief Tamahl was hanged through false testimony of his fellow Indians. In this same record Mr. Curtis touches all too briefly on the duplicity of Chief Owhi and his associates, on the transformation of Colonel Wright from a friend to a butcher of Indians and the ever present controversy between the volunteers under Governor Stevens and the regulars under Genral Wool. To most students of these events it has long seemed settled that Governor

Stevens was more often right than wrong and that he was not at all slow to correct an error when one was discovered.

Governor Stevens participated in the making of ten treaties with the Indians. The inadequacy of the reservations complained of by the Nisqually and Puyallup Indians, he, himself, corrected at a meeting on Fox Island on August 4, 1856. In making the original treaties he was, of course, under instructions from the Government at Washington. He evidently had certain basic forms to guide him as in three treaties—Yakimas, Makahs, and Clallams—he mentions the Omaha treaty as reference. This Omaha treaty was concluded in Washington City on March 16, 1854, and the first treaty made by Governor Stevens was in December of that year. With that and other models he certainly tried to protect the interests of the Government as well as those of the Indians. The fishing and other rights he secured for the Indians have endured to the present time, standing more than one test in the courts.

It is with sincere regret that the present reviewer calls attention to what he deems a blemish in the work of a friend—a work that is surely destined to live in all its essential features for the enlightenment of countless generations.

EDMOND S. MEANY.

THE CRIME AGAINST THE YAKIMAS. By Lucullus V. McWhorter. (North Yakima, Republic Print, 1913. Pp. 56. 35 cents.)

The author and publisher is a strong friend of the Yakima Indians, near, with and among whom he has dwelt for several years. A struggle has been going on for a long between white men on the one side and Indians on the other concerning the Yakima Reservation. This consists of about one million acres of land, owned and occupied by three or four thousand Indians. No land in the state is better than much of this land, which also is located near the center, and is now surrounded by prosperous communities of aggressive and progressive white people. These see themselves hampered by lack of land—suitable, good land, the values of which among them range, for agricultural purposes, from fifty dollars to one thousand per acre. They also see the Indians possessed of a tract that will average three hundred acres to every man, woman and child, not one per cent of which are they cultivating. They have tried and are trying continually to get some of this land, and in doing so they are aiming to get it on the best possible terms to themselves and with little regard, of course, to the rights or wants of the Indians. The story is practically identical with those told of the Indians and whites at Victoria, B. C.,

at Tacoma, at Chicago, and all over the continent of America and other parts of the now civilized world. This is not justifying any wrong to the Indians, with whom the reviewer strongly sympathizes. They are weak and helpless. The Government should protect and aid them. They should be permanently homed, taught, made self-supporting, and fairly and honestly assisted in leasing or selling the lands that they have no use for. Vicious, lawless, worthless white should be kept away. A number of Yakima Indians are educated, prominent, useful citizens. This number should be increased as rapidly as possible. Mr. McWhorter's aim is in these proper directions. So is that of many other people. Changing from savagery and barbarism to enilghtenment and civilization is, however, a slow process. It usually takes several generations. This little book will help, despite its plain, vigorous and in places rather harsh language. With this view it is well that Mr. McWhorter wrote it.

THOMAS W. PROSCH.

MISSIONARY EXPLORERS AMONG THE AMERICAN INDIANS. Edited by Mary Gay Humphreys. (New York, Scribner's. Pp. 306. $1.50.)

This volume is devoted to the work of six American missionaries: John Eliot, Samson Occum, David Brainerd, Marcus Whitman, Stephen Riggs and John Lewis Dyer. The editor has told the lives of these men largely in their own words. Where this has been impossible, other contemporary sources have been used. The whole has been skillfully compiled and the result is an entertaining volume for popular reading.

Of particular interest to readers in the Pacific Northwest is the chapter relating to Marcus Whitman and a prefatory allusion to the Whitman controversy bespeaks an impartial treatment.. An examination of the chapter, however, proves this hope to be fallacious. A commendable use has been made of unquestioned sources such as the diary of Mrs. Whitman and early letters written by members of the Oregon mission, but the editor's connecting narrative contains statements and inferences that cannot be accepted by the student of this period. The eulogies of Nixon and Mowry have evidently been followed without question and an exaggerated idea is given of Whitman's political services.

CHARLES W. SMITH.

POLITICAL PARTIES IN OREGON, 1893-1868. By Walter C. Woodward. (Portland, The J. K. Gill Company. 1913. Pp. 277.)

This is a book well worth while. The author is himself an Oregonian, educated at Pacific University and the University of California

and is at present Professor of History and Political Science at Earlham College, Richmond, Indiana. In the opening sentence of the preface he says: "It is rather a striking fact that with all that has been written concerning the various phases of the history of the Oregon Country, so little attention has been given to its political development, in the more restricted sense." That sentiment seems abundantly justified in the compact pages that follow.

The work is arranged under three parts—"The Period of Provisional Government, Introductory," "The Period of Territorial Government, Political Organization," and "The Period of State Government, Civil War Period." There are fourteen chapters ranging from "Political Basis as Found in Settlement" to "Political Realignment." His sources have been, in the main, the contemporary newspapers of Oregon. He has also made use of much manuscript materials in the collections at Portland and in the Bancroft Library, now at the University of California.

Readers in the State of Washington will find special interest in this footnote on the first page of the text: "In the discussion of the political development of Oregon, it is that territory comprising the present state which is under special consideration. However, in the study of the early period, the area of the state of Washington is included up to 1853, when the latter was set off from Oregon as a separate Territory."

The book carries a number of fine half-tone engravings—portraits of the hardy old editors, politicians and statesmen of early Oregon. There are abundant citations to authorities and the author pays a deserved compliment to that never failing friend of writers in and of the Northwest—George H. Himes, the Nestor of the Oregon Historical Society.

SOME REMINISCENCES OF OLD VICTORIA. By Edgar Fawcett. (Toronto, William Briggs. 1912. Pp. 294.)

This is a well made book, crowded with illustrations (four portraits often on a single page) and is well named, as it is anecdotal and personal in its flavor. The people of British Columbia and not a few on this side of the boundary will surely find the work entertaining and suggestive. The author has gracefully dedicated the book to "Sir Richard McBride, K. C. M. G., Premier, Native Son, and Pioneer."

BIBLIOGRAPHY OF WASHINGTON GEOLOGY AND GEOGRAPHY. By Gretchen O'Donnell. (Olympia, Frank M. Lamborn, Public Printer. 1913. Pp. 63.)

This is a revision and amplification of the first work of the kind in this state, by Dr. Ralph Arnold in 1901. Miss O'Donnell (now Mrs.

George E. Starr) has done a good piece of work for the Washington Geological Survey, but Professor Henry Landes, State Geologist, realizes that it is still a preliminary work and so in an introductory note he urges all readers to send in information about books or articles that should be included in a subsequent revision.

THE CANADIAN ANNUAL REVIEW OF PUBLIC AFFAIRS, 1912. By J. Castell Hopkins, F. S. S. (Toronto, The Annual Review Publishing Company, Limited. 1913. Pp. 699+90.)

As indicated by the title, this standard reference work is devoted to the whole of Canada, but from page 595 to 620 may be found a review of public affairs in British Columbia. This, of course, is of interest to all here in the Pacific Northwest. The book is well indexed and beautifully illustrated. There is a special supplement of 90 pages "containing important public addresses of the year and historical data regarding Canadian interests and institutions."

SIERRA CLUB BULLETIN, JUNE, 1913. (San Francisco, the Club. Pp. 81-124.)

In addition to the usual beautifully illustrated articles about the mountains of California, this number has a fine article by Miss Lulie Nettleton of Seattle entitled "The Mountaineers' Winter Outing on Mt. Rainier." The pictures accompanying this article are by Asahel Curtis and Professor Milnor Roberts.

Other Books Received

CONNECTICUT HISTORICAL SOCIETY. Annual Report. (Hartford, the Society. 1913. Pp. 39.)

ILLINOIS STATE HISTORICAL LIBRARY. The Lincoln Way. (Springfield, Illinois State Journal Co. 1913. Pp. 22.)

JAMES, JAMES ALTON, editor. George Rogers Clark Papers, 1771-1781. (Springfield, Illinois State Historical Library. 1912. Pp. 715.)

LIBRARY OF CONGRESS. Calendar of the Papers of John Jordan Crittenden. (Washington, Government Printing Office. 1913. Pp. 335.)

ROWELL, JOSEPH C., and LEUPP, HAROLD L. List of Serials in the University of California Library. (Berkeley, University of California Press. 1913. Pp. 266.)

NEWS DEPARTMENT

Death of Ex-Governor Saloman

Edward S. Saloman, born Dec. 25, 1836, in Schleswig-Holstein, Germany, died July 18th last in San Francisco. At eighteen years of age he came to the United States, and made his home in Chicago, where he studied law and became an attorney. In 1860 he was elected city councilman. A year later he joined the First Illinois Infantry, as second lieutenant. In 1862 he was major, in 1863 colonel, and later was breveted brigadier general. After the war he became clerk of Cook county, Illinois. In 1870, by appointment from President U. S. Grant, he became the eighth governor of Washington Territory, his predecessors being Isaac Ingalls Stevens, Fayette McMullan, Richard D. Gholson, William Pickering, George E. Cole, Marshall F. Moore and Alvan Flanders. Two years later he was succeeded by Elisha P. Ferry, whereupon he removed to San Francisco, where he spent the last forty years of his life, prominent as an attorney, politician, orator, member of the Grand Army of the Republic, and public-spirited citizen. Two weeks before his death, on the 4th of July, he was the orator at the Gettysburg celebration in Oakland. Mrs. Saloman died several years ago. A son and a daughter survive them.

During their residence at Olympia the governor was very active—officially, socially and politically. He made warm friends and bitter enemies. Troubles ensued in the Republican party, which continued several years, and ended only by the removal of several of the most active participants, including Saloman. Accompanying him from Chicago were a considerable number of Germans, who settled tn the territory and became useful citizens. He was said to be a cousin of Gen. Frederick Saloman and Gov. Edward Saloman of Wisconsin, who served their adopted country as their titles indicate during the Civil War.

Marking Historical Spots

During August George H. Himes, curator of the Oregon Historical Society; W. H. Gilstrap, secretary of the Washington Historical Society; and the following pioneers: Scott Shaser, 1849; John Miller Murphy, 1850; Thomas Prather, 1852; William Mitchell, 1853; and Allen Weir, born in Washington Territory, 1860, together toured Thurston Coun-

ty picking out historical spots to be marked. It is hoped to extend that laudable work beyond the limits of Thurston County.

Statue of Governor McGraw

On July 22, the Richard E. Brooks statue of Governor John H. McGraw was unveiled with appropriate ceremonies on what is now known as McGraw Place, Westlake Boulevard, between Olive and Stewart streets, Seattle.

Chief Seattle Day

On August 30, the Indians at Suquamish, where Chief Seattle lies buried, celebrated Chief Seattle Day. The Rodman Wanamaker Commission to the American Indians participated, as did, also, the Tilicums of Elttaes.

Old Settlers of Southwestern Washington

On August 15, the old settlers of Southwestern Washington held a reunion at Rochester. About seven hundred were in attendance. The principal feature of the occasion was an address by Ezra Meeker, marker of the Oregon Trail.

Death of General Kautz's Widow

The widow of General A. V. Kautz died on August 11 at the home of her daughter, Mrs. Harry L. Simpson, at Wenonah, N. J. Mrs. Kautz had many friends in the Northwest, where her distinguished husband was stationed during the early part of his military career. There is a glacier and a river on Mount Rainier that bears his name, which was bestowed on account of his explorations there more tha nhalf a century ago.

Yukon Pioneers

The annual meeting of the Grand Lodge of the Yukon Order of Pioneers was held in Dawson, Yukon Territory, on August 14. Richard Gillespie was elected Grand President and Arthur F. Engelhardt, Grand Secretary.

NORTHWESTERN HISTORY SYLLABUS

[The aim of this department is to furnish outlines that will aid those who wish to study the subject systematically. It is expected that its greatest use will be as a guide for members of women's clubs, literary societies, and classes in colleges or high schools. It will be a form of university extension without the theses and examinations necessary for the earning of credits toward a degree.]

VII Settlement of Old Oregon (Continued)

5. Hall Jackson Kelley.
   - a. Varied career as a youth.
   - b. Became interested in the Oregon Question in 1815.
   - c. Years of agitation.
   - d. Pamphlets.
   - e. Inspiration of Wyeth.
   - f. Trip to Oregon in 1834.
   - g. Map and memoir.
   - h. Real help in spite of eccentricities.

6. William A. Slocum.
   - a. Delegated by President Jackson to visit Northwest.
   - b. Journey not made until 1837.
   - c. Investigated Hudson's Bay Company's work.
   - d. Report especially strong as to American retention of Puget Sound.
   - e. Memoir before Congress.

7. The Missionary Epoch.
   - a. Indian plea for religious teachers.
   - b. Methodist Mission, 1834.
     - i. Led by Rev. Jason Lee.
     - ii. Traveled with Wyeth and fur hunters.
     - iii. Located in Willamette Valley.
     - iv. Reinforcements.
     - v. Branch missions.
   - c. The Whitman Mission, 1836.
     - i. Sent out by the American Board of Commissioners of Foreign Missions.

ii. The Whitman-Spalding party.
iii. Reinforcements.
iv. Branch missions.
v. The winter's ride, 1842-3.
vi. The Massacre, 1847.

d. The Catholic Missions, 1838.
i. Begun by Fathers Blanchet and Demers.
ii. Extensive reinforcements.
iii. Branch missions.

BIBLIOGRAPHY.—This brief outline covers one of the most controverted phases of Oregon or Northwestern history. Any student desiring to delve deeply into the Whitman question will find the two books cited here to be the fullest on each side of the case and the footnotes in these books will lead to almost endless materials. As usual, the other books are chosen for the accessibility in many of our Northwestern libraries.

BANCROFT, HUBERT HOWE. Works of. Vol. XXIX. (Oregon, Vol. I.), pages 54 to 142, 184 to 225, 315 to 348, 639 to 699. The index in Oregon Vol. II. will be helpful for separate items in the field.

EELLS, MYRON. Marcus Whitman. This book of 349 pages was published by the Alice Harriman Company in Seattle in 1909 after the death of the author. It is the fullest account on the pro-Whitman side. There are numerous citations to authorities.

LEE, D., and FROST, J. H. Ten Years in Oregon. This is a source book published in New York by the authors in 1844. It is not common, but may be found in some of the libraries of the Northwest.

MARSHALL, WILLIAM I. Acquisition of Oregon and the Long Suppressed Evidence About Marcus Whitman. This work in two rather large volumes (450 and 368 pages) was published by Clarence B. Bagley through the house of Lowman & Hanford Company, Seattle, after the author's death. This work is by far the fullest account of what might be called the anti-Whitman side of the controversy. It is, of course, exhaustive and cites to abundant materials.

MEANY, EDMOND S. History of the State of Washington. For the ground covered by this syllabus consult pages 88-89, 98-99, 106-131.

SCHAFER, JOSEPH. History of the Pacific Northwest. Use the index, but be sure to read pages 128-129, 145-164, 218-224.

George Wilkes: History of Oregon, Geographical, Geological and Political. (New York, Colyer, 1845.).

[The reprint of this rare work was begun in the first number of the Washington Historical Quarterly and has been continued in portions of varying lengths. For the sake of librarians and others who have kept the files, the work is here continued.—*Editor.*]

(No. 2.)

THE FRENCH TITLE.

Extract from the Report of the Committee on Military Affairs, made in Congress in 1843.

The treaty of Utrecht was concluded in 1713. By the tenth article it was agreed between Great Britain and France, to determine within one year, by commissioners, the limits between the Hudson's Bay and the places appertaining to the French. The same commissioners were also authorized to settle, in like manner, the boundaries between the other British and French colonies in those parts. Commissioners were accordingly appointed by the two Powers, and there is strong reason to believe they actually established the boundaries according to the terms of the treaty, although no formal record of the fact now exists. The evidence that the boundaries were thus established is, first, "the fact of the appointment of the commissioners for that express purpose; and that two distinct lines may be found traced on the different maps published in the last century, each purporting to be the limit between the Hudson's Bay territories on the north and the French possessions on the south, fixed by commissioners according to the treaty of Utrecht." One of these lines "is drawn irregularly from the Atlantic to a point in the 49th parallel of latitude, south of the southernmost part of the Hudson's Bay, and thence westward along that parallel to Red River, and, in some maps, still further west. This line is generally considered in the United States, and has been assumed by their government, as the true boundary settled by the commissioners agreeably to the treaty above mentioned." Thus we find Messrs. Monroe and Pinckney, at Madrid, in 1805, writing to the Spanish minister as

follows: "In conformity with the tenth article of the first-mentioned treaty, (treaty of Utrecht,) the boundary between Canada and Louisiana on the one side, and the Hudson's Bay and Northwestern Companies on the other, was established by commissioners by a line to commence at a cape or promontory on the ocean in 58 degrees 31 minutes north latitude; to run thence southwestwardly to latitude 49 degrees north from the equator, and along that line indefinitely westward." These extracts are taken from the Memoir of Mr. Greenhow, who, it is proper to add, considers the opinion that these boundary lines were actually established by the commissioners "at variance with the most accredited authorities." In this opinion the committee does not concur; so far from doing so, it is thought the presumption that the 49th parallel was adopted by the commissioners under the treaty of Utrecht, is strengthened by the line of demarcation subsequently agreed on by the treaty of Versailles, in 1763, between France and Great Britain, and also by the treaty of peace of 1783, between the United States and Great Britain. By the former, the "confines between the British and French possessions were irrevocably fixed by a line drawn along the middle of the Mississippi, from its source to the Iberville," etc. By the latter, that part of the northern boundary of the United States which is applicable to the subject is described to be through the Lake-of-the-Woods, "to the most northwesetrn point thereof, and from thence on a due west course to the Mississippi river." The most northwestern point of the Lake-of-the-Woods is perhaps a few minutes north of the 49th parallel of latitude. By the convention of 1818, between the United States and Great Britain, in the second article, it is agreed that a line drawn from the most northwestern point of the Lake-of-the-Woods, along the 49th parallel of north latitude, or if the said point shall not lie in the 49th parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection, due west, along and with said parallel, shall be the line of demarcation between the territories of the United States and those of his Britannic majesty; and that the said line shall form the northern boundary of the said territories of the United States, and the southern boundary of the territory of his Britannic majesty, from the Lake-of-the-Woods to the Stony Mountains."

This line, it will be obsered, is a deviation from the boundary established by the treaty of 1783; for that was to extend due west from the northwestern point of the Lake-of-the-Woods, *without any reference to its latitude*. By this, we are in the contingency named, to run by the shortest line from the specified point on the Lake-of-the-Woods to the forty-ninth parallel of latitude. Whence, it may be asked, the solicitude to adopt this

particular parallel, except as it corresponded with preëxisting arrangements, which could have been made under the provisions of the treaty of Utrecht alone? for under no other had any reference at that time been made to the said forty-ninth degree.

This coincidence between the boundaries established by Great Britain and France in 1763, and between Great Britain and the United States in 1783 and 1818, can scarcely be accounted for on any other supposition, than that the said line had been previously established by the commissioners under the treaty of Utrecht. This conclusion is strengthened by a further coincidence in the boundaries fixed in the said treaties of 1763 and 1783. In both, the Mississippi is adopted as the boundary. One of the lines then (the Mississippi) previously established between Great Britain and France being thus, beyond all cavil, adopted between the United States and Great Britain, may it not be fairly inferred, in the absence of all proof to the contrary, and with strong corroborating proof in favor of the inference, drawn from the stipulations of treaties, lines of demarcation on old maps, etc., that the other line, (forty-ninth parallel,) equally beyond cavil established by the United States and Great Britain, was also the same one previously existing between Great Britain and France? but such line had no existence, unless under the stipulations of the treaty of Utrecht. For these reasons, the committee has adopted the opinion, that the forty-ninth parallel of latitude was actually established by the commissioners under that treaty. It may not be unimportant here to observe, that this forty-ninth parallel is not a random line, arbitrarily selected, but the one to which France was entitled upon the well-settled principle that the first discoverer of a river is entitled, by virtue of that discovery, to all the unoccupied territory watered by that river and its tributaries.

We have seen that, by the treaty of 1763, the Mississippi, from its source, was adopted as the line of demarcation between the British and French possessions. Louisiana then extended north as far as that river reached; in other words, it stretched along the whole course of the Mississippi, from its source, in about latitude forty-nine, to its mouth, in the gulf of Mexico, in latitude twenty-nine. By the stipulations, then, of this treaty alone, without calling in the aid of the previous treaty of Utrecht, the northern boundary of Louisiana is clearly recognized as a line drawn due west from the source of the Mississippi: we say due west, because the east line alone of the boundaries of Louisiana being specifically and in express terms established by the treaty, her surface can only be ascertained by the extension of that whole line in the direction in which her territory is admitted to lie. This simple and only practicable process of

giving to Louisiana any territory under the treaty, fixes as the whole of her northern boundary, a line running due west from the source of the Mississippi, which may, for the purpose of this argument, be fairly assumed as the forty-ninth parallel, without injustice to any party.

Having thus ascertained the northern boundary of Louisiana, it becomes important to inquire what were its western limits, as between Great Britain and France: we say between Great Britain and France, because here another competitor appeared, (we speak of 1763,) in the person of the king of Spain, upon whose title we shall insist, if we fail to establish that of France.

The treaty of 1763 professing to establish and actually establishing lines of demarcation between the contiguous territories of the contracting parties, it cannot be denied, except upon strong proof, that all the boundaries about which any dispute then existed, or subsequent disputes could be anticipated, (that is, where their respective territories touched each other,) were then definitely adjusted and settled. These territories are known to have touched on the north and on the east; and accordingly in those quarters we find the lines clearly described. Is it not evident, that had they touched in other points, had there been other quarters where questions of conflicting claims might have arisen, the lines in those quarters also would have been fixed with equal precision? But to the south and west there is no allusion in the treaty; an omission conclusive of the fact that in those directions Great Britain had no territory contiguous to Louisiana. But Louisiana extended, by the stipulations of the treaty, west from the Mississippi; and Great Britain, having no territory or claim to territory which could arrest her extension in that direction, is precluded from denying that the French title covered the whole country from that river to the shores of the Pacific Ocean.

The parties to the treaty of 1763 made partition of almost the whole continent of North America, assigning to England the terriory east of the Mississippi, and north of the forty-ninth parallel of latitude. No claim was at that time advanced by Great Britain to territory in any other quarter of this vast continent; a very pregnant conclusion against the existence of any such claim. Her Government, ever vigilant for the increase of her territory, with a view to the extension of her commerce, manifested upon the occasion of this treaty an avidity of acquisition which the continent was scarcely large enough to satisfy. Never very nice in scrutinizing the foundation of her pretensions, nor over scrupulous in the selection of means to enforce them, she was at this juncture in a position peculiarly auspicious to the gratification of her absorbing passion of territorial aggrandizement. Conqueror at every point, she dictated the terms of peace, and asserted

successfully every claim founded in the slightest pretext of right. Still no title is either advanced or even intimated, to possessions west of the Mississippi.

Mr. Cushing, of Massachusetts, in a report from the Committee on Foreign Relations, to the House of Representatives, made January 4, 1839, has the following sentences: "As between France and Great Britain, or Great Britain and the United States, the successor of all the rights of France, the question (of boundary) would seem to be concluded by the treaty of Versailles, already cited, in which Great Britain relinquishes, *irrevocably*, all pretensions west of the Mississippi. On the footing of the treaty of Utrecht, ratified by our convention, of 1818, England may possibly, by extension of contiguity, carry her possessions from Hudson's Bay across to the Pacific, north of latitude 49°; but by the treaty of Versailles we possess the same right, and an exclusive one, to carry our territory across the continent, south of that line, in the right of France."

It may, perhaps, be urged that the limits of Louisiana, on the west, are confined to the territory drained by the Mississippi and its tributaries; the extent of her claim, founded on the discovery of that river, being restricted to the country so drained. The principle upon which this limitation is attempted may be safely admitted, without in any degree affecting the right for which we contend; because, first, Great Britain is precluded from asserting it by her admission, in 1763, that Louisiana extended indefinitely west from the Mississippi; and, second, because the principle being of universal application, if the discovery of the Mississippi by the French confine Louisiana to its waters east of the Rocky Mountains, the discovery of the Columbia by the Americans will extend their claim to the whole country watered by that great river, west of those mountains, and our true claim has this extent. Yet, to avoid unprofitable disputes, and for the sake of peace, we have expressed a willingness (met in no corresponding spirit, the committee is sorry to say,) to confine ourselves to much narrower limits.

(No. 3)

Copy of the Convention between his Britannic Majesty and the King of Spain, Commonly called the Nootka Treaty, of October, 1790.

"ARTICLE 1. The buildings and tracts of land situated on the north-west coast of the Continent of North America, or on the islands adjacent to that Continent, of which the subjects of his Britannic majesty were dispossessed about the month of April, 1789, by a Spanish officer, shall be restored to the said British subjects.

"ART. 2. A just reparation shall be made according to the nature of the case, for all acts of violence and hostility which may have been committeed subsequent to the month of April, 1789, by the subjects of either of the contracting parties against the subjects of the other; and in case said respective subjects shall, since the same period, have been forcibly dispossessed of their lands, buildings, vessels, merchandise, and other property whatever on the said Continent, or on the seas and islands adjacent, they shall be reestablished in the possession thereof, or a just compensation shall be made to them for the losses which they have sustained.

"ART. 3. In order to strengthen the bonds of friendship, and to preserve in future a perfect harmony and good understanding between the two contracting parties, it is agreed, that their respective subjects shall not be disturbed or molested, either in negotiating or carrying on their fisheries in the Pacific Ocean or in the South Seas, or in landing on the coast of these seas, in places not already occupied, for the purpose of carrying on their commerce with the natives of the country, or of making settlements there; the whole subject, nevertheless, to the instructions specified in these following articles.

"ART. 4. His Britannic majesty engages to take the most effectual measures to prevent the navigation, and the fishing of his subjects in the Pacific Ocean, or in the South Seas, from being made a pretext for illicit trade with the Spanish settlements; and with this view, it is moreover, expressly stipulated, that British subjects shall not navigate or carry on their fishery in the said seas, within the space of ten sea leagues from any part of the coasts already occupied by Spain.

"ART. 5. As well in the places which are to be restored to the British subjects, by virtue of the first Article, as in all other parts of the north-western coast of America, or of the islands adjacent, situate to the north of the parts of the said coast already occupied by Spain, wherever the subjects of the two powers shall have made settlements, since the month of April, 1789, or shall hereafter make any, the subjects of the other shall have free access, and shall carry on their trade without any disturbance or molestation.

"ART. 6. With respect to the eastern and western coasts of South America, and to the islands adjacent, no settlement shall be formed hereafter by the respective subjects in such part of those coasts as are situated to the south of those parts of the same coasts, and of the islands adjacent, which are already occupied by Spain; provided, that the said respective subjects shall retain the liberty of landing on the coasts and islands so situated, for the purposes of their fishery, and of erecting thereon, huts and other temporary buildings, serving only for those purposes.

"ART. 7. In all cases of complaint, or infraction of the articles of the present convention, the officers of either party, without permitting themselves previously to commit any violence or acts of force, shall be bound to make an exact report of the affair, and of its circumstances, to their respective courts who will terminate such differences in an amicable manner.

ART. 8. The present convention shall be ratified and confirmed in the space of six weeks, to be computed from the day of its signature, or sooner, if it can be done.

"In witness whereof, we, the undersigned, plenipotentiaries of their Britannic and Catholic majesties, have in their names, and by virtue of respective full powers, signed the present convention, and set thereto the seals of our Arms. Done at the palace of St. Lawrence, the 28th of October, 1790.

[L. S.] "EL CONDE DE FLORIDA BANCA.
[L. S.] "ALLEYNE FITHZHEBERT."*

(No. 6.)

BRITISH STATEMENT, OF 1826.*

The government of Great Britain, in proposing to renew, for a further term of years, the third article of the convention of 1818, respecting the territory on the north-west coast of America, west of the Rocky Mountains, regrets that it has been found impossible, in the present negotiation, to agree upon a line of boundary which should separate those parts of that territory, which might henceforward be occupied or settled by the subjects of Great Britain, from the parts which would remain open to occupancy or settlement by the United States.

To establish such a boundary must be the ultimate object of both countries. With this object in contemplation, and from a persuasion that a part of the difficulties which have hitherto prevented its attainment is to be attributed to a misconception, on the part of the United Sates, of the claims and views of Great Britain in regard to the territory in question,

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[No.'s 4 and 5 of the Appendix, consisting of a correspondence between Captains Gray and Ingraham and the Spanish commissioner at Nootka in 1792, and an extract from Captain Gray's log-book respecting the occurrences in the Columbia river on his first visit, though referred to in the preceding pages, were deemed to be of not enough importance to warrant any further increase of this portion of the work.]

*Note to this Reprint Edition.—Wilkes here misspells the name which is Alleyne Fitzherbert, Baron St. Helens. It is interesting to know that while off the mouth of the Columbia River on October 20, 1792, Captain George Vancouver named a beautiful mountain St. Helens, making this reference: "This I have distinguished by the name of Mount St. Helens, in honor of His Britannic Majesty's ambassador at the court of Madrid."

*This statement is here inserted in full because it is a complete synopsis of all the pretensions of Great Britain; and being the groundwork of her claims is particularly interesting as showing the other side of the story.

the British plenipotentiaries deem it advisable to bring under the notice of the American plenipotentiary a full and explicit exposition of those claims and views.

As preliminary to this discussion, it is highly desirable to mark distinctly the broad differenec between the nature of the rights claimed by Great Britain and those asserted by the United States, in respect to the territory in question.

Over a large portion of that territory, namely, from the 42d degree to the 49th degree of north latitude, the United States claim full and exclusive sovereignty.†

Great Britain *claims no exclusive sovereignty over any portion of that territory.*‡ Her present claim, not in respect to any part, but to the whole, is limited to a right of joint occupancy, in common with other states, leaving the right of exclusive dominion in abeyance.

In other words, the pretensions of the United States tend to the ejection of all other nations, and, among the rest, of Great Britain, from all right of settlement in the district claimed by the United States.§

The pretensions of Great Britain, on the contrary, tend to the mere maintenance of her own rights, in resistance to the exclusive character of the pretensions of the United States.

Having thus stated the nature of the respective claims of the two parties, the British plenipotentiaries will now examine the grounds on which those claims are founded.

The claims of the United States are urged upon three grounds:

1st. As resulting from their own *proper* right.

2dly. As resulting from a right derived to them from Spain; that power having, by the treaty of Florida, concluded with the United States in 1819, ceded to the latter all their rights and claims on the western coast of America north of the 42d degree.

3dly. As resulting from a right derived to them from France, to whom the United States succeeded, by treaty, in possession of the province of Louisiana.

The first right, or right *proper*, of the United States, is founded on the alleged discovery of the Columbia River by Mr. Gray, of Boston, who, in 1792, entered that river, and explored it to some distance from its mouth.

‡At the period of this convention, the United States plenipotentiary was instructed to agree to the extension of our northern boundary line, westward from the Lake of the Woods, along parallel 49°, to the Pacific; with the further instruction, that in case such compromise should not be accepted, we should feel ourselves entitled thereafter, to insist upon the full measure of our rights.

†She has exercised it nevertheless.

§Truly so; and this must always be the case between rightful owners and mere pretenders.

To this are added the first exploration, by Lewis and Clark, of a main branch of the same river, from its source downwards, and also the alleged priority of settlement, by citizens of the United States, of the country in the vicinity of the same river.

The second right, or right derived from Spain, is founded on the alleged prior discovery of the region in dispute by Spanish navigators, of whom the chief were, 1st, Cabrillo, who, in 1543, visited that coast as far as 44 degrees north latitude; 2d, De Fuca, who, as it is affirmed, in 1598, entered the straits known by his name in latitude 49 degrees; 3d, Guelli, who, in 1582, is said to have pushed his researches as high as 57 degrees north latitude; 4th, Perez and others, who, between the years 1774 and 1792, visited Nootka Sound and the adjacent coasts.

The third right, derived from the cession of Louisiana to the United States, is founded on the assumption that that province, its boundaries never having been exactly defined *longitudinally*, may fairly be asserted to extend westward across the Rocky Mountains, to the shore of the Pacific.

Before the merits of these respective claims are considered, it is necessary to observe that one only out of the three can be valid.

They are, in fact, claims obviously incompatible the one with the other.* If, for example, the title of Spain by first discovery, or the title or the other of those kingdoms have been the lawful possessor of that territory, at the moment when the United States claim to have discovered it. If, on the other hand, the Americans were the first discoverers, there is necessarily an end of the Spanish claim; and if priority of discovery constitutes the title, that of France falls equally to the ground.

Upon the question, how far prior discovery constitutes a legal claim to sovereignty, the law of nations is somewhat vague and undefined. It is, however, admitted by the most approved writers that mere accidental discovery, unattended by exploration—by formally taking possession in the name of the discoverer's sovereign—by occupation and settlement, more or less permanent—by purchase of the territory—or receiving the sovereignty from the natives—constitutes the lowest degree of title, and that it is only in proportion as first discovery is followed by any or all of these acts, that such title is strengthened and confirmed.

The rights conferred by discovery, therefore, must be discussed on their own merits.

But before the British plenipotentiaries proceed to compare the rel-

*By no means! An equitable settlement might at one time have divided the territory between the two first parties claimant; and their joint release in favor of the United States, while it makes absolutely against Great Britain, strengthens the title of the United States in the same degree. of France as the original possessor of Louisiana, be valid, then must one

ative claims of Great Britain and the United States, in this respect, it will be advisable to dispose of the two other grounds of right, put forward by the United States.

The second ground of claim, advanced by the United States, is the cession made by Spain to the United States, by the treaty of Florida, in 1819.

If the conflicting claims of Great Britain and Spain, in respect to all that part of the coast of North America, had not been finally adjusted by the convention of Nootka, in the year 1790, and if all the arguments and pretensions, whether resting on priority of discovery, or derived from any other consideration, had not been definitely set at rest by the signature of that convention, nothing would be more easy than to demonstrate that the claims of Great Britain to that country, as opposed to those of Spain, were so far from visionary, or arbitrarily assumed, that they established more than *a parity of title* to the possession of the country in question, either as against Spain, or any other nation.

Whatever that title may have been, however, eitheir on the part of Great Britain or on the part of Spain, prior to the convention of 1790, it was from thenceforward no longer to be traced in vague narratives of discoveries, several of them admitted to be aprocryphal, but in the text and stipulations of that convention itself.

By that convention it was agreed that all parts of the north-western coast of America, not already occupied at that time by either of the contracting parties, should thenceforward be equally open to the subjects of both, for all purposes of commerce and settlement; the sovereignty remaining in abeyance.

In this stipulation, as it has been already stated, all tracts of country claimed by Spain and Great Britain, or accruing to either, in whatever manner, were included.

The rights of Spain on that coast were, by the treaty of Florida, in 1819, conveyed by Spain to the United States. With those rights the United States nesessarily succeeded to the limitations by which they were defined, and the obligations under which they were to be exercised. From those obligations and limitations, as contracted towards Great Britain, Great Britain cannot be expected gratuitously to release those countries, merely because the rights of the party originally bound have been transferred to a third power.

The third ground of claim of the United States rests on the right supposed to be derived from the cession to them of Louisiana by France.

In arguing this branch of the question, it will not be necessary to

examine in detail the very dubious point of the assumed extent of that province, since, by the treaty between France and Spain of 1763, the whole of that territory, defined or undefined, real or ideal, was ceded by France to Spain, and, consequently, belonged to Spain, not only in 1790, when the convention of Nootka was signed between Great Britain and Spain, but also subsequently, in 1792, the period of Gray's discovery of the mouth of the Columbia. If, then Louisiana embraced the country west of the Rocky Mountains, to the south of the 49th parallel of latitude, it must have embraced the Columbia itself, which that parallel intersects; and, consequently, Gray's discovery must have been made in a country avodedly already appropriated to Spain, and, if so appropriated, necessarily included, with all other Spanish possessions and claims in that quarter, in the stipulations of the Nootka convention.

Even if it could be shown, therefore, that, the district west of the Rocky Mountains was within the boundaries of Louisiana, that circumstance would in no way assist the claim of the United States.

It may, nevertheless, be worth while to expose, in a few words, the futility of the attempt to include that district within those boundaries.

For this purpose, it is only necessary to refer to the original grant of Louisiana made to De Crozat by Louis XIV., shortly after its discovery by La Salle. That province is therein expressly described as "the country drained by the waters entering, directly or indirectly, into the Mississippi." Now, unless it can be shown that any of the tributaries of the Mississippi cross the Rocky Mountains from west to east, it is difficult to conceive how any part of Louisiana can be found to the west of that ridge.

There remains to be considered the first ground of claim advanced by the United States to the territory in question, namely, that founded on their own proper right as first discoverers and occupiers of territory.

If the discovery of the country in question, or rather the mere entrance into the mouth of the Columbia by a private American citizen, be, as the United States assert, (although Great Britain is far from admitting the correctness of the assertion), a valid ground of national and exclusive claim to all the country situated between the 42d and 49th parallels of latitude, then must any preceding discovery of the same country, by an individual of any other nation, invest such nation with a more valid, because a prior, claim to that country.

Now, to set aside, for the present, Drake, Cook, and Vancouver, who all of them either took possession of, or touched at, various points of the coast in question, Great Britain can show that in 1788—that is, four years before Gray entered the mouth of the Columbia River—Mr. Meares,

a lieutenant of the royal navy,* who had been sent by the East India Company on a trading expedition to the north-west coast of America, had already minutely explored that coast, from the 49th degree to the 45th degree north latitude; had taken formal possession of the Straits of De Fuca, in the name of his sovereign; had *purchased land*, trafficked and *formed treaties*† with the natives; and had *actually entered the bay of the Columbia*, to the northern head land of which he gave the name of *Cape Disappointment**—a name which it bears to this day.

Dixon, Scott, Duncan, Strange, and other private British traders, had also visited these shores and countries several years before Gray; but the single example of Meares suffices to quash Gray's claim to prior discovery. To the other navigators above mentioned, therefore, it is unnecessary to refer more particularly.

It may be worth while, however, to observe, with regard to Meares, that his account of his voyages was *published in London in August*, 1790; that is, two years before Gray is even pretended to have entered the Columbia.‡

To that account are appended, first, extracts from his log-book; secondly, maps of the coasts and harbors which he visited, in which every part of the coast in question, *including the bay of the Columbia*, (*into which the log expressly states that Meares entered*,) is minutely laid down, its delineation tallying, in almost every particular, with Vancouver's subsequent survey, and with the description found in all the best maps of that part of the world, adopted at this moment; thirdly, the account in question actually contains an engraving, dated in August, 1790, of the entrance of De Fuca's Straits, executed after a design taken *in June*, 1788, by Meares himself.‡

With these physical evidences of authenticity, it is needless to contend for, as it is impossible to controvert, the truth of Meares's statement.

It was only on the 17*th of September*, 1788, that the Washington, commanded by Mr. Gray, first made her appearance at Nootka.

*Meares was a Portuguese hireling, and not in any branch of English service, and though a speculating half-pay lieutenant, was, to all intents and purposes, as much a private citizen as Captain Gray. See Appendix, No. 10.

†The only treaty he formed, was an agreement with Maquinna, the king of the surrounding country, granting him leave to make a temporary building, on the express condition, that when he finally left the coast, "the house and all the goods thereunto belonging" should fell into that chief's possession; a condition, by the way, which Meares dishonestly failed to fulfil, for the boards were struck off and taken on board one of his vessels, and the roof was given to Captain Kendrick.

*"Cape Disappointment,' 'because he failed to discover the river he sought.

‡That is to say, he was "disappointed" two years before Captain Gray was satisfied.

‡It will be recollected it was "Meares himself" who despatched word to England of the wonderful discoveries of Captain Gray, in the Strait of Fuca.

If, therefore, any claim to these countries, as between Great Britain and the United States, is to be deduced from priority of the discovery, the above exposition of dates and facts suffices to establish that claim in favor of Great Britain, on a basis too firm to be shaken.

It must, indeed, be admitted that Mr. Gray, finding himself in the bay formed by the discharge of the waters of the Columbia into the Pacific, was the first to ascertain that this bay formed the outlet of a great river—a discovery which had escaped Lieutenant Meares, when, in 1788, four years before he entered the very same bay.

But can it be seriously urged that this single step in the progress of discovery not only wholly supersedes the prior discoveries, both of the bay and the coast, by Lieutenant Meares, but equally absorbs the subsequent exploration of the river by Captain Vancouver, for near a hundred miles above the point to which Mr. Gray's ship had proceeded, the formal taking possession of it by that British navigator, in the name of his sovereign, and also all the other discoveries, explorations, and temporary possession and occupation of the ports and harbors on the coast, as well of the Pacific as within the Straits of De Fuca, up to the 49th parallel of latitude.§

This pretension, however, extraordinary as it is, does not embrace the whole of the claim which the United States build upon the limited discovery of Mr. Gray, namely, that the bay of which Cape Disappointment is the northernmost headland, is, in fact, the embrochure of a river. That mere ascertainment, it is asserted, confers on the United States a title, in exclusive sovereignty, to the whole extent of country drained by such river, and by all its tributary streams.

In support of this very extraordinary pretension, the United States allege the precedent of grants and charters accorded in former times to companies and individuals, by various European sovereigns, over several parts of the American continent. Among other instances are adduced the charters granted by Elizabeth, James I., Charles II., and George II., to sundry British subjects and associations,‖ as also the grant made by Louis XIV. to De Crozat over the tract of country watered by the Mississippi and its tributaries.

§No; we claim these latter, on the ground of other discoveries, and also on the score of Spain.

‖This is a wilful perversion, to say the least of it. The United States, in proving the principle, merely alluded to these later charters as instances of Britain's recognition of the rule with her own subjects, or in other words, **when it ran in favor of herself.** While the correctness and usage of the principle was otherwise indubitably proved, the above instances were merely brought forward as a conclusive rebuke to Britain's opposition to its application **to us.** It was on the ground of these charters, together with the application of their rule to the pretended discovery of the Columbia river by Vancouver and Meares, that we felt warranted in asserting on the 31st page, that Great Britain advances the principle herself.

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